

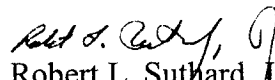
FINDING OF NO SIGNIFICANT IMPACT

In accordance with the National Environmental Policy Act of 1969, including guidelines in 33 Code of Federal Regulations, Part 230, the Tulsa District has assessed the environmental impacts of leasing approximately 631 acres of project lands and 46 acres of water at Skiatook Lake to the Skiatook Economic Development Authority (SEDA). The proposed action would consist of commercially developing project lands for a golf course, marina and boat service, RV sites and cabins, and a village consisting of a lodge, cabins, store, and other related and supporting facilities.

Potential impacts resulting from implementation of the proposed action and identified in the environmental assessment include loss of or reduced values to existing terrestrial and aquatic habitat over that which presently exists, loss of "Ancient Old Growth" cross-timber forests, and degraded water quality. Mitigation measures will be implemented to ameliorate these impacts. For mitigation of potential impacts an environmental management plan (EMP) will be developed and made a part of the lease agreement with the SEDA. It will include the following: 1) a specific terrestrial and aquatic mitigation plan fully coordinated with the USACE, Oklahoma Department of Wildlife Conservation, and the U.S. Fish and Wildlife Service; 2) surveying for and mapping of old growth ancient cross-timbers forest if present, and approval of impacts to this unique resource by the USACE project delivery team; 3) establish provisions for dealing with inadvertent discoveries of cultural resources; and 4) appropriate details for site-specific chemical application rates and related considerations for golf course operations to promote water quality protection. These specific requirements would become conditions of the lease agreement with the USACE. Prior to initiation of the construction of any project feature the EMP section associated with the feature must be approved by the USACE.

The enclosed environmental assessment indicates that with appropriate mitigation measures the project would have no significant adverse impacts on the natural or human environment. Therefore, an environmental impact statement will not be prepared.

2/13/2003
Date


Robert L. Suthard, Jr.
Colonel, U.S. Army
District Engineer

Enclosure
Environmental Assessment

**ENVIRONMENTAL ASSESSMENT
FOR CROSSTIMBERS PROJECT
AT SKIATOOK LAKE, OKLAHOMA**

February 13, 2003

Project Proponent:

**Skiatook Economic Development Authority
Skiatook, Oklahoma**

Prepared for:

**U.S. ARMY CORPS OF ENGINEERS
TULSA DISTRICT
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I. PURPOSE, NEED AND SCOPE

The purpose of this Environmental Assessment is to assess the environmental impacts from the proposed construction of a golf course, marina and boat service, RV sites and cabins, and a village (the village would consist of lodge, cabins, store, and other related facilities) on Federal lands at Skiatook Lake in Osage County, Oklahoma. Although the Final Environmental Statement for Skiatook Lake, dated 11 February 1972, addresses authorized recreational purposes at this location, significant excavation and changes in the land would result from construction, thus requiring preparation of an Environmental Assessment to assure compliance with the National Environmental Policy Act of 1969, as amended.

Skiatook Reservoir was authorized for construction by the Flood Control Act approved 23 October 1962 (Public Law 87-874, 87th Congress) in accordance with the plan outlined in House Document No. 563 (87th Congress, 2nd Session). Purposes of the Skiatook project included flood control, water quality control, water supply storage, recreation, and fish and wildlife.

The proposed project, consisting of approximately 631 acres of land and 46 acres of water, is located in portions of Sections 25, 26, 27 and 35 of Township 22 North, Range 11 East and Sections 2, 3, and 4 of Township 21 North, Range 11 East in Osage County, Oklahoma (Figures 1 and 2). Access to the site is via State Highway 20 and paved county roads to the project boundaries from the east. North 52 West Avenue and State Highway 11 provide access to the western side of the lake via West 103rd Street. Within the project boundary, access is via government and county roads.

The project includes the development of a golf course, marina and boat service, trails, RV sites, cabins, and a village. The village would consist of a lodge, cabins, store, and other related facilities. A description of each proposed activity and site development map are provided in Figures 3 and 4.

The U.S. Army Corps of Engineers (USACE) currently operates the campgrounds at Skiatook Lake. The Tall Chief Cove camping facility has led USACE Southwest Division campgrounds in revenue for the past three years and experiences 100 percent utilization on the weekends during the camping season (having to turn away campers). A marina leased to the Public Works Authority of Osage County and subleased to a private company, is currently in operation at the lake. The marina is very busy during the summer season with a 90 percent utilization rate.

II. ALTERNATIVES INCLUDING PROPOSED ACTION

A. No Action

This alternative would retain existing conditions and would not result in any project related environmental impacts or losses to fish and wildlife habitat. Existing facilities would remain, resulting in a continued shortage of camping facilities and recreational space within Tall Chief campground at Skiatook Lake.

B. Construct Golf Course, Marina, RV Sites and Cabins, Village, Trails, and Expand Existing Camp and Recreational Facilities at Tall Chief Cove (Proposed Action)

This alternative would provide a high quality, modified "target golf course", a marina, expanded RV sites, cabins, and a village. The "target golf course" concept of golf course development minimizes the disturbance to native vegetation and natural topography by strategically placing course features within the existing landscape. Golf holes, fairways and other features would be framed by existing trees/shrubs, native grasses, hills, and drainages, thereby minimizing excavation and maintenance of extensive tracts of improved turf. Other project construction would also be accomplished with this concept in mind, and would provide a needed increase in camping and recreation areas. Buildings would be constructed in concert with the local environment not at the price of the local environment. All of the proposed facilities would be public facilities.

III. AFFECTED ENVIRONMENT

A. Location

The proposed golf course would be located at Skiatook Point. The course would be built on approximately 318 acres of USACE land located north and west of the dam (Figure 3). The proposed RV park and rustic cabins would be located at Tall Chief Cove Campground adjacent to the existing camping sites on the west end of the campground. The proposed Village is also located at Tall Chief Cove. It would be on the southern end of the campground adjacent to the swimming beach and boat launch. The proposed marina and related facilities would be located at Tornado Cove (to the northeast of Tall Chief Cove). The proposed nature trails would be located from Tornado Cove north to the dam area (Figure 4).

B. Climate

Skiatook Lake lies in a region characterized by moderate winters and comparatively long summers with relatively high temperatures. The summer rains usually occur as thunderstorms of short duration and limited extent but with intense rainfall. The winter rains are generally of low intensities but cover large areas and are several days in duration. Normal annual precipitation over the watershed is about 37.1 inches. May is normally the wettest month and December the driest; however major storms may occur at any time during the

year. Nearly two-thirds of the precipitation occurs during the growing season, April through September. Annual snowfall averages around 8.9 inches per year.

The mean temperature for the area is around 60°F with record extremes ranging from a minus 26°F to a plus 118°F.

The Hominy Creek watershed is in an area of prevailing southerly winds. Greatest wind movements occur in the spring months. A study of available wind velocity data indicates that 45 miles per hour is the highest wind velocity that can be reasonably expected for the duration of one hour or more (Oklahoma Climatological Survey).

C. Social and Economic Conditions

1. Study Area. Osage County is in the extreme north-central Oklahoma and is bordered to the north by the Kansas state boundary line and to the south by the Tulsa metropolitan area. Skiatook Lake is located in the southeastern portion of the county. The lake is operated by the U.S. Army Corps of Engineers. The Tall Chief Cove camping facilities are used at a 100% rate on weekends (turning away a number of individuals during the season). The existing marina is also operated at approximately 90% capacity during the boating season (May through September).

2. Population. The population of Osage County is 44,437 as of the 2000 census. Skiatook area has seen a growth rate of approximately 10% over the last 10 years.

3. Employment and Income. The economy is primarily based on horse and cattle ranching as well as oil and gas production. Unemployment rate in the county was 4.0% in 2001 compared to 4.3% for the State. The 1999 per capita income for Osage County was \$17,634 compared to \$22,958 per capita for the State.

4. Social Ecology. Land use in the Skiatook Lake area is mainly ranching, although recent years have seen the slow encroachment of housing developments west of the town of Skiatook and on the eastern end of the Lake. Upscale housing has been built on private property on both sides of the northern end of the Lake. Lake view houses start at \$160,000 in the Catalina Cove subdivision east of Tornado Cove. Homes on East Ridge sell in excess of \$230,000. Westside homes in the Santa Barbara subdivision start at \$180,000, with homes selling in excess of a million dollars in the Beverly Hills subdivision. The median price for a home in the Skiatook area is \$63,176 with the average price of a home being \$69,601. Only 3.3 % of homes within a ten-mile radius of the Town of Skiatook sell for more than \$150,000 (Town of Skiatook Market Profile Report June 15, 2001).

The standard of living on the eastern end of the lake has shown a dramatic shift in the past five to ten years. The increase in housing prices has brought an increase in the amount of land that is being made available for development.

5. Environmental Justice. Executive Order 12898 requires federal agencies to identify and address disproportionately high and adverse human health and environmental

effects of federal programs, policies, and activities on minority and low-income populations. Federal agencies are directed to ensure that federal programs or activities do not result, either directly or indirectly, in discrimination on the basis of race, color or national origin. Federal agencies are required to provide opportunities for input in the NEPA process from affected communities and to evaluate significant and adverse environmental effects proposed federal actions on minority or low-income communities during the preparation of federal environmental documents. The proposed project was evaluated in accordance with E.O. 12898.

6. Protection of Children from Environmental Risks and Safety Risks.

Executive Order 13045 requires federal agencies shall make it a high priority to identify and assess environmental health risks and safety risks that may disproportionately affect children. Federal agencies are directed to ensure that its policies, programs, activities, and standards address disproportionate risks to children that result from environmental health and safety risks. The proposed project was evaluated in accordance with E.O. 13045.

D. Natural Resources

1. **Terrestrial.** Skiatook Lake is located in the Prairie Division, Prairie Parkland Province as described by Bailey (1995). This province covers an extensive area from Canada to Oklahoma, with alternating prairie and deciduous forests. The province occupies 218,200 square miles.

The project area is primarily composed of crosstimbers (upland woods) interspersed with native tall-grass prairie. These forests exist in continuous to scattered stands on sandstone of the Douglas group throughout the Chautauqua Hills. In these areas post oak and blackjack oak, and others grow on rocky land where water is received from sandstone surfaces and snow lodges during the winter.

Prior to impoundment the project areas were mainly upland timberland and native grassland. Since impoundment, the areas have been managed as public use areas for camping and other recreational activities, or left undeveloped. There are no bottomland hardwoods or wetland resources within the scope of the proposed project.

2. **Soils.** Although several different soil types are present, the predominant soil type in the proposed development area is the Niotaze-Darnell complex. The Niotaze-Darnell complex consists of small areas of Niotaze and Darnell soils that are so intermingled that distinct separation was not possible at the scale selected for mapping purposes. The Niotaze-Darnell soil complex, which forms on the crests and side slopes of uplands, range from moderately deep (Niotaze) to thin (Darnell), somewhat poorly drained (Niotaze) to well drained (Darnell), and are very gently sloping (3%) through moderately steep (25%) in slope.

The Niotaze soils make up about 65% of the mapped acreage. In typical Niotaze soils, the surface layer to a depth of about 3 inches consists of very dark grayish brown silt loam that grades at that depth to a brown silt loam to 6 inches. The upper part of the subsoil is reddish brown silty clay to a depth of 15 inches. The middle part is mottled in shades of red, brown,

and olive silty clay to a depth of 28 inches. The lower part is olive silty clay to a depth of 36 inches. The underlying material of Niotaze soils is shale bedrock. The permeability of the Niotaze soil is slow and available water capacity is medium.

The Darnell soils make up about 15 to 35% of the mapped acreage. In typical Darnell soils, the surface layer to a depth of about 4 inches consists of very dark grayish brown fine sandy loam. The thin subsoil consists of a brown fine sandy loam to an average depth of 13 inches. The underlying material of Darnell soils is sandstone bedrock. The permeability of the Darnell soil is moderately rapid and available water capacity is low.

The Niotaze-Darnell soil complex is used mostly for range, but is also well suited for the growth of native trees (scrub oaks, blackjacks, etc) that are useful as firewood and posts. The smoother, less stony areas are also suited to tame pasture grasses.

3. Prime Farmland. As defined by the U.S. Natural Resources Conservation Service there are no Prime and Unique Farmlands within the scope of this project. Coordination letter from the U.S. Natural Resources Conservation Service is in Appendix A.

4. Wild and Scenic Rivers. No body of water in the Lake Skiatook watershed is a federally designated Wild or Scenic River.

5. Wetlands/Floodplains. The only wetland within the scope of the proposed project is a small fishing pond located in the Skiatook Point area. A fishing pond would be incorporated into the golf course design. See the United States Department of the Interior, National Wetland Inventory (NWI) map, located in Appendix A.

Floodplains are the areas along rivers or lakes that are inundated during periods of flooding. Flooding is an inevitable event along most rivers, tending to be seasonal and caused by spring rains or storm events. Many areas have 50 and 100-year floodplains identified through the Federal Emergency Management Agency (FEMA) for flood insurance programs.

The floodplains around Skiatook Lake have been inundated by Skiatook Lake. The floodplains within the conservation pool elevation of 714.0 National Geodetic Vertical Datum (NGVD) are permanently inundated. The floodplains along Hominy Creek and its tributaries between the conservation pool and top of the dam elevation (756.0 NGVD) may become inundated at various frequencies.

6. Wildlife. The Oklahoma Department of Wildlife Conservation (ODWC) administers the Skiatook Wildlife Management area on the western end of Skiatook Lake. The ODWC manages 5085 acres of property (both land and water) around the area where Hominy Creek flows into the lake. This area contains 3600 acres of upland woods (crosstimbers subdivision) and is open to the public for hunting.

A large variety of rodents, reptiles, amphibians, and birds are plentiful throughout the region. A comprehensive list of all flora and fauna is available in the Final Environmental Statement for Lake Skiatook (USACE 1972).

a. Fish. Skiatook Lake has an excellent reputation as a prime fishing area. The primary sport fish species are largemouth bass, spotted bass, smallmouth bass, white and black crappie, white bass, walleye, channel catfish, blue catfish, flathead catfish, and white bass/striped bass hybrid. Sport fish have been stocked yearly in the lake since 1987 with hybrid striped bass being stocked in the greatest number in recent years.

Stresses on the aquatic ecosystem at Lake Skiatook include anoxic summer conditions and lake level fluctuations.

b. Amphibians and Reptiles. Species found are typical of the crosstimbers area and include such species as terrestrial and aquatic snakes, turtles, lizards, skinks, frog, toads and salamanders.

c. Birds. Species found are typical of the crosstimbers area and include such species as harriers, hawks, doves, kingfishers, woodpeckers, chickadees, titmouse, mocking birds, eastern bluebird, loggerhead shrike, starling, blue jay, crow, sparrows, eastern meadowlark, crackle, cowbird, cardinal, junco and scissor-tailed flycatcher.

d. Mammals. Species found are typical of the crosstimbers area and include such species as white-tailed deer, rabbits, squirrels, coyote, raccoon, bobcat, possum, woodchuck, foxes, muskrat, striped skunk, mink, bats and beaver.

7. Unique Habitat Resource. The project area contains an increasingly rare and unique habitat type, the crosstimbers. This component was identified as being present in the project area during preparation of the final environmental statement for the project in 1972, but the status of this habitat type has recently been of concern and reevaluated by the scientific community. The crosstimbers originally stretched from southeast Kansas, through eastern Oklahoma to northeastern Texas. This vegetation type is dominated by blackjack oak, post oak and (in the south) black hickory (*Carya texana*), with an understory dominated by little bluestem. Subdominants include big bluestem, side-oats grama, hairy grama (*Bouteloua hirsuta*), purple lovegrass (*Eragrostis spectabilis*), sand lovegrass (*E. trichodes*), Scribner's panicum, Indian-grass, longleaf dropseed and Texas needlegrass (*Nasella leucotricha*) (*Stipa leucotricha*) as understory, and hackberry (*Celtis* spp.) as an overstory species. In Oklahoma the crosstimbers prairie habitat type originally covered approximately 30,000 square miles. Therrell and Stahle (1998) estimate 162 square miles of ancient crosstimbers remain today throughout the country, all of which has been impacted by fire suppression, grazing/agriculture, and reservoir impoundment.

Within the general habitat classification of crosstimbers there are several different plant communities. The plant community with the broadest distribution is that of the upland crosstimbers. The upland crosstimbers forest type is generally considered to be a modified version of the oak-hickory forest type that is common along the western portion of the eastern deciduous forest of North America, the major distinction being the lack of the other species of oak and hickory common in the eastern North America as well as the lack of black cherry and basswoods. In many places throughout the crosstimbers region sandstone or

limestone caps many of the hills. Soils associated with the sandstone caps are mostly thin sandy soils and contain unique plant communities generally consisting of small annuals or succulent perennials with very short tap roots, or shallow spreading roots.

Throughout much of the eastern range of the crosstimbers a combination of fire suppression, plant invasion, and conversion to agriculture has resulted in the fragmentation and loss of habitat for many migrant songbirds such as the endangered black-capped vireo.

One component of this habitat type, is “old growth” or ancient crosstimbers, which is composed of growth forms that may be 300-500 years old. Tree ring investigations indicate that the ancient cross timber community has remained relatively unchanged following the last glacial period some 6,000 years ago (Stahle et.al., 2000). Due to the rapidly declining trends in this habitat type the value and function of the old growth crosstimbers is of special importance. Little is known about the bird communities in these ancient forests.

It has been conjectured that portions of the proposed project area have a 77 % chance of containing old growth crosstimbers (Therrell and Stahle 1998), but the project area has not been surveyed for this growth form. Prior to project implementation, a survey will be conducted to quantify this habitat type.

E. Cultural Resources

The project area is situated in a zone of low oak-covered hills, which form the boundary between the grasslands of the Plains to the west and the oak-hickory forests to the east. The project area lies at an elevation between 714 and 850 feet U.S. Geological Survey topographic data. The uppermost sediments are composed principally of dark gray silty clays and clay loams related to the Ferris-Tarrant-Heiden Association. The sediments tend to be rocky and thin over much of the area, with some outcrops of limestone and/or sandstone.

As an area of research, the project area falls within the Southern Great Plains archeological province. A cultural-historic overview of the surrounding region is beyond the scope of this report; however, a detailed account is given in various USACE publications. Most notable of these publications are The Archeology of the Proposed Skiatook Reservoir, Osage County, Oklahoma (Rohrbaugh and Wycoff 1969), An Historical-Cultural Assessment of the Skiatook Reservoir, Osage County, Oklahoma (Perino 1972), The Prehistory and Paleoenvironment of Hominy Creek Valley 1978 Field Season (Henry 1979) and The Prehistory and Paleoenvironment of Hominy Creek Valley 1979 Field Season (Henry 1982).

F. Threatened and Endangered Species

The interior least tern, whooping crane, bald eagle, piping plover, mountain plover, and neosho mucket have been listed by the U.S. Fish and Wildlife Service as Federally listed threatened, endangered, or candidate species that may occur in the project area (Appendix B).

G. Water Quality

USACE has characterized the general water quality at Skiatook Lake as having macronutrients and trace metals at levels and patterns not a cause for alarm but that do warrant future study (USACE 1998). Phosphorus is at levels high enough to consider the lake mesotrophic. Mesotrophic lakes show some depletion of oxygen making them not always suitable for coldwater fisheries, although productivity is good. Shifting land use patterns in the watershed could shift the entire lake into a higher trophic level (eutrophic). Eutrophic lakes show a reduction in aesthetics due to turbidity, but generally are very productive for warm water fisheries. The second area of awareness is in the trace metals. Mercury levels were above detection limits in five surface water samples. This survey provided water quality baseline data for Skiatook Lake with samples taken between April and November 1994.

Since that time, the Oklahoma Water Resources Board (OWRB) has measured water quality in Skiatook Lake. Data gathered in 1996, 1999 and 2000 show that Skiatook Lake is still classified as mesotrophic, bordering on eutrophic. A mesotrophic to eutrophic lake is one that is indicative of moderate to high primary productivity and intermediate nutrient levels. According to the ODEQ, Skiatook Lake was sampled in 1998 and none of the fish samples exceeded screening level or low consumption advisory level for metals toxicity. Skiatook Lake is listed on the current (1998) State of Oklahoma 303(d) list of impaired waters for pesticide concerns from unknown sources.

H. Air Quality

The U.S. Environmental Protection Agency (USEPA) published a Conformity Rule on 30 November 1993, requiring all Federal actions to conform to appropriate State Implementation Plans which were established to improve ambient air quality. At this time, the Conformity Rule only applies to Federal actions in non-attainment areas. A non-attainment area is an area which does not meet one or more of the National Air Quality Standards for the criteria pollutants designated in the Clean Air Act (CAA).

To comply with this rule, a conformity determination based on air emission analysis is required for each proposed Federal action with a non-attainment area. This geographical region is in attainment and meets the National Air Quality Standards for the criteria pollutants designated in the CAA. Consequently, a conformity determination is not required.

I. Noise. Noise levels in the project area are consistent with an area that is experiencing a growth in population levels. Various housing areas are in the process of development and construction in the proposed project area. To the north of the Skiatook Point (proposed golf course) a variety of housing areas are currently being built. The area to the south of Tornado Cove (proposed marina) has been cleared and multiple houses are being built. The land south of Tall Chief Cove Camp ground is currently being developed for single resident housing.

IV. ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION

A. SOCIAL AND ECONOMIC IMPACTS

1. FUTURE WITHOUT PROJECT CONDITIONS

a. Population. Under without-project conditions, population trends of the past decade would continue. Recreational use is expected to grow along with the population.

b. Employment and Income. The unemployment rate is expected to remain slightly lower than the state level. Ranching would remain the important part of the local economy, but the local economy will become less labor intensive. The income level of persons living in Osage County is expected to stay well below the income level of persons living in other parts of Oklahoma.

c. Social Ecology. Building of upscale homes and subdivisions would continue on the eastern end of the lake. Living standards would continue to rise as development increases in the general area.

2. FUTURE WITH PROJECT CONDITIONS

a. Population. The project could have a direct, though minor, impact on the number of people living in Osage County. The project would have a direct impact on those using the Skiatook Lake facilities. Population trends of the past decade should continue. Construction may temporarily increase noise and traffic. Specifically, traffic patterns on Lake Road may be temporarily disrupted due to construction. Construction of the golf course, marina, convention facility, and campground would increase recreational opportunities for the local population as well as for those persons living in other locales. The new facilities should generate additional visitation to the Skiatook Lake area.

b. Employment and Income. Projected construction would increase job opportunities in the area. When all phases of the project are in operation approximately 50–60 new jobs would be created, making the CrossTimbers one of the major employers in the local area. In the long-term unemployment rate should remain slightly lower than the state. Construction related expenditures should increase local income. Income for local residents should remain slightly lower than in other more urbanized areas of Oklahoma.

c. Social Ecology. The project would be consistent with the local development. The eastern end of Skiatook Lake has seen an increase in housing development in the last five to ten years. Rural Water District 15 (RWD 15) reports that 325 new houses were built in this area in the last five years.

Water to the proposed project would come from RWD 15, which receives its water from the town of Skiatook. The town of Skiatook does not have enough storage from Skiatook Lake to meet the proposed demands. RWD 15 has a 2000 acre-foot future use water storage contract at Skiatook Lake. This storage is from the originally authorized water supply storage. As the proposed project is developed, RWD 15 would activate the water storage

contract from future use to a present use status. The town of Skiatook would treat water from RWD 15's water storage to insure the demands for the phased development of the proposed project are met. The town of Skiatook is expanding the water plant to meet future needs of the Skiatook area. Water to irrigate the golf course would be bought from the town of Skiatook. Sewage treatment would be on site. A variety of methods for sewage disposal, such as aerobic systems and wetland systems, are being investigated. Systems that are used would comply with all applicable state and federal laws and regulations regarding wastewater treatment.

Traffic flow to the area would come from the North on SH 20 either via Lake Road or via Rogers Blvd and from the South via W. 103rd St. to Lake Road. This is the normal traffic pattern today. Noise in the area is expected to increase during construction and then to be consistent with the project activities.

The aesthetics of the proposed development are of utmost importance. The proposed CrossTimbers project is being built to be consistent with its surroundings, with existing facilities in Oklahoma and Missouri being used as templates for project design. The standard of living would also benefit with the proposed development through an increase in employment and land values.

d. Environmental Justice. In accordance with Presidential Executive Order 12898, a review of this project was evaluated in terms of its effect of excluding persons (including populations) from participating in; denying persons (including populations) the benefits of; or subjecting persons (including populations) to discrimination because of their race, color, or national origin. The review indicates that no such effects would result from the project.

e. Protection of Children from Environmental Health Risks and Safety Risks. In accordance with Presidential Executive Order 13045, a review of this project was evaluated in terms of any health risks and safety risks that may disproportionately affect children. The review indicates that no such effects would result from the project.

B. NATURAL RESOURCES IMPACTS.

1. Terrestrial. Temporary disturbance to soils and existing vegetation would occur from construction activities (i.e., shaping, excavation, and sodding with turf). Of the total 318 acres in the proposed golf course, approximately 150 acres would be potentially disturbed for construction. In addition, other potentially disturbed acreage would include 40 acres for the Village, 5 acres for the Marina, and 30 acres for the camping/RV park extension with modest additional development occurring within the balance of the project area for nature trails and other facilities as suggested by the development plan. About one third this area is open and the other two thirds is timbered (see Table 1). Losses to existing hardwoods within the designated construction areas should be minimal. Disturbance to shoreline riparian and timber habitats should be minimal or non-existent, as these habitats

would be left in place to provide an aesthetic buffer zone and to minimize maintenance. Disturbance to and conversion of existing crosstimbers vegetation would occur for construction of the marina, golf course and village.

TABLE 1
**Estimated Wildlife Habitat Type to be Altered by
the Proposed Project**

	Prairie	Interspersed Forest	Forest edge	Closed Canopy Forest	Riparian	Aquatic	Total
Golf Course	45 acres (30%)	0 acres	15 acres (10%)	90 acres (60%)	0 acres	0 acres	150 acres (58%)
Marina	0 acres	0 acres	0 acres	3 acres (8%)	2 acres (5%)	30 Acres (86%)	35 acres (13%)
Village	8 acres (20%)	0 acres	2 acres (5%)	30 acres (75%)	0 acres	0 acres	40 acres (15%)
RV/Camping	18 acres (60%)	10.5 acres (35%)	1.5 acres (5%)	0 acres	0 acres	0 acres	30 acres (12%)
Hiking Trail	0 acres	0 acres	0 acres	5 Acres (100%)	0 acres	0 acres	5 acres (2%)
Total	71 acres (27%)	10.5 acres (4%)	18.5 acres (7%)	128 acres (50%)	2 acres (1%)	30 acres (11%)	260 acres (100%)

There is a possibility that old growth trees exist in the project area. Prior to construction the project proponent would be required to have a recognized authority on old growth crosstimbers conduct a survey of the entire lease area to identify any old growth crosstimbers that may exist in the lease area. Results of the survey will be provided to USACE. Once development plans are finalized, USACE and the project proponent will jointly assess potential impacts to old growth trees. Prior to disturbance of any old growth forest resources, finalized plans must be approved by the USACE members of the Skiatook Lake Demonstration Lake Project Delivery Team. This requirement will also be made a condition of the real estate lease to SEDA.

2. Prime and Unique Farmlands. As defined by the U.S. Natural Resources Conservation Service there are no Prime and Unique Farmlands within the scope of this project (Appendix A).

3. Aquatic and Wetlands. Nutrient loading from fertilization applications and contamination from pesticides use at the golf course should be minimal due to efforts

taken to maximize the integration of existing undeveloped lands into the project design. A detailed turf management and Integrated Pest Management Plan would be used to properly apply fertilizers, herbicides and pesticides (see golf course design guidelines in Appendix C). A buffer of existing shoreline habitats, composed of crosstimbers, riparian species, natural plants and grasses to maintained areas (bermuda grass) should be ideal for natural assimilation and/or decomposition of possible pollutants. The cross timber trees, shrubs, and grasses should also serve as indicators of excessive herbicide application because of their sensitivity to these products. At the Marina, proper operation and maintenance of equipment and strict adherence to state and federal regulations should help maintain the water quality of the lake.

Proper construction and operation of the proposed golf course, marina and village facility, as designed, should not impact existing aquatic resources.

4. Fish and Wildlife. The construction of a “target golf course” may benefit some wildlife species and adversely impact others. Foraging species may benefit from increased food availability provided by clearing of the underbrush. However, neotropical bird species that utilize the crosstimbers could be adversely impacted. In coordination with USACE and USFWS, bird and small mammal habitat would be added where possible throughout the project. As with any construction project, some species would be displaced. Also, a variety of wetland areas would be added in the construction of the golf course (see golf course design guidelines section of Appendix C).

Loss of habitat would be minimized as much as possible in all areas of development. Fish habitat, approximately 30 acres, which would be removed in the construction of the marina, would be added in other areas of the lake as directed by a plan developed in association with the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and the Oklahoma Department of Wildlife Conservation. Other construction is proposed within the heavily used Tall Chief Cove campground area, where wildlife has either been displaced or adapted to human occupancy.

5. Migratory Birds. The potential impacts of the proposed development to migratory birds have been evaluated. The proposed lease to SEDA should not impact the Corp’s ability to protect migratory birds from deleterious impacts. According to, “Partners in Flight, Bird Conservation Plan for the Osage Plains” (*Physiographic Area 33, American Bird Conservancy, Version 1.0, October 2000*), the physiographic area of the proposed development consists of grass-shrublands and Savanna-woodlands.

In grass-shrublands, the breeding bird species that appear to be increasing consist of the Bewick’s Wren and Blue-gray Gnatcatcher, while declining species consist of the Western Kingbird, Eastern Kingbird, Scissor-tailed Flycatcher, Loggerhead Shrike, Bell’s Vireo, Brown Thrasher, and Lark Sparrow. With the proposed project this trend would probably continue.

In Savanna-woodlands, the breeding bird species that appear to be increasing consist of the Wild Turkey, Eastern Bluebird, Indigo Bunting, Carolina Chickadee, Tufted Titmouse,

White-breasted Nuthatch, and Carolina Wren. The declining species consist of the Red-headed Woodpecker, Northern Flicker, Western Kingbird, Eastern Kingbird, Scissor-Tailed Flycatcher, Loggerhead Shrike, and Brown Thrasher. With this project this trend would probably continue.

6. Impacts on Fishing and Hunting Opportunities. The proposed project would have an additional impact on the existing fishery resource and fishing opportunities. With the proposed marina development, the cove would be cleared of standing timber (30 acres), which could impact the fishery resources of the lake. The standing timber attracts and provides cover for sport fish such as crappie, largemouth bass, and catfishes. It also provides cover for young of the year sport fish and prey species such as shad, and provides an attachment point for algal communities that provide food and cover for many species of fish. To date the value of this habitat type has not been quantified or evaluated by a habitat-based evaluation. As such, impacts are uncertain. However, mitigation features to offset this loss would be coordinated with USACE, USFWS, and ODWC and installed prior to completion of the proposed project. Mitigation features may include construction of new brush piles or other sport fish attractors that could provide fish habitat and algal resources for sport fish.

The immediate area around the marina may be zoned off limits to the general public. This is permissible under Corps regulations so that the marina operator can provide security for the facilities and also protect the private property of marina patrons. This zoning would not prohibit boaters or fishermen from gaining access to the cove, and would be posted in accordance with applicable Tulsa District marina policies and guidelines.

Skiatook Point and Tall Chief Cove are part of the proposed lease area. These areas are zoned for intensive recreation use and are closed to hunting. The area from Skiatook Dam south to Tall Chief Cove (approximately 200 acres) is currently zoned for low-density recreation and has been open for archery hunting only in accordance with ODWC regulations. Just over 100 acres of this shoreline (in the vicinity of the marina and cabins development) would be rezoned to recreation intensive use and would not be open to hunting. The remainder of the shoreline (from the cabins to Skiatook Dam) would remain zoned for low-density recreation. However, the proposed use of this shoreline area for a hiking trail would probably result in hunting being restricted in this area during all or portions of the different hunting season. To offset this loss of hunting opportunities, USACE would consult with USFWS and ODWC on rezoning a currently undeveloped recreation area at Skiatook Lake to multiple resource management - wildlife management general. Designation of the property as such would allow hunting and management of habitat for wildlife and non-game species to take place on this portion of the lake, potentially offsetting the loss of hunting opportunities due to the proposed lease.

7. Threatened And Endangered Species. This project would not impact Federally-listed or State-listed species. The USFWS listed four threatened or endangered species, one proposed threatened species, and one candidate species as occurring in Osage County. All of the federally listed threatened and endangered species potentially migrate through the Skiatook Lake area, but there is no critical habitat listed for them in the

proposed project area. Information regarding surveys for Federally listed species is included in Appendix B.

8. Wetlands/Floodplains And Water Quality Permits. No existing wetlands as identified by the USFWS (NWI) would be negatively impacted by the project. Additional wetlands would be constructed as part of the golf course project. All permanently inhabitable buildings would be in an area outside of the 50-year flood plain. A National Flood Insurance Program Map (Federal Emergency Management Agency) is in Appendix A. The project, as planned, would have no impacts on the floodplain of Hominy Creek. The project was coordinated with the Floodplain Management Section of the Tulsa District Corps of Engineers in accordance with Executive Order 11988, and their response is shown in Appendix A.

7. Cultural Resources. A cultural resources survey of the proposed project area was conducted by Dr. Donald Henry of the University of Tulsa in May 2002. No archeological sites were recorded during this survey. One traditional cultural property, called Tepee Rock or Healing Rock (34OS679), was identified near the current USACE office and within the area proposed for construction of the golf course. No other historic properties were recorded during this survey. As part of our consultation under Section 106 of the NHPA, copies of this report were also submitted at that time to the Quapaw, Osage, Kiowa, Comanche, and Wichita and Affiliated Tribes for their review, and a request was made to each of these groups for their assistance in identifying cultural properties that may be of traditional religious or cultural significance to them that might be located within the proposed lease area. In a letter dated August 5, 2002, the Osage Nation responded to our request for information by stating that the activities associated with the proposed recreation development of the lease area would have an adverse impact on Healing Rock and potentially other historic properties that may be located within the proposed lease area. The Osage Nation also requested that consultation take place between the Osage, State Source, SEDA, and USACE regarding the impact of the proposed project on Healing Rock and other matters.

Healing Rock, 34OS679, is a large upright rock located on a ridge point overlooking Skiatook Lake. Originally located in Hominy Creek valley, the rock was moved to its present location by USACE at the request of the Quapaw and Osage tribes in order to prevent the rock from being inundated by Skiatook Lake. According to informants, Healing Rock is a traditional cultural property of significance to the Quapaw and Osage tribes due to association with some of the first Native American Church gatherings held in Osage County. Consultation with the Osage Nation and Quapaw Tribe by USACE in 2002 and 2003 revealed that both tribes still feel Healing Rock is a significant traditional cultural property in spite of the fact that the rock is no longer located in its original setting. Based on information provided by the Osage Nation and Quapaw Tribe, USACE determined that Healing Rock is eligible for listing on the National Register of Historic Places (NRHP) as a traditional cultural property. The Oklahoma State Archeologist and the Oklahoma State Historic Preservation Officer have concurred with our opinion of NRHP eligibility regarding Healing Rock (Appendix D).

Shortly after initiation of formal consultation with the Osage Nation and Quapaw Tribe in October 2002 USACE was made aware of a previously unknown historic property located within the boundary of the proposed lease area. Site 34OS678 is a small, burned rock mound approximately 10 meters in diameter and 0.5 meters in height located in the front yard of the USACE Skiatook Lake office. Based on similarities to other known sites in the region, the site appears to be prehistoric in age. From aerial photographs and other documentation on file at the USACE Skiatook Lake office, the mound appears to have escaped disturbance during the construction of the nearby office compound during the 1980s. Because of the undisturbed nature and likelihood of the mound containing important information on subsistence activities of prehistoric inhabitants in the area, we feel that site 34OS678 is potentially eligible for listing on the NRHP. The Oklahoma State Archeologist has concurred with our determination of NRHP eligibility regarding this site (Appendix D).

Due to the presence of site 34OS678 in an upland ridgetop setting, it was decided through consultation with the Osage and Quapaw tribes that additional cultural resource survey efforts were warranted in the area proposed for construction of the CrossTimbers golf course. As a means of enhancing ground visibility during the survey, in November 2002 USACE undertook a prescribed burn of nearly the entire area that would be used for the proposed golf course. As a result of the prescribed burn, many areas that were formerly covered in dense prairie grasses were available for easy surface inspection.

Surface survey of the proposed golf course area began on November 19, 2002. USACE archeologists Louis Vogele and Ken Shingleton spent the entire day walking through the recently burned area, focusing most of their effort on that portion of the property located south of the highway. On November 21, 2002, Anthony Whitehorn of the Osage Nation, Carrie Wilson of the Quapaw Tribe, and Natalie Garrett of the Bureau of Indian Affairs joined Mr. Vogele in surveying the western portion of the area north of the highway. On November 26, 2002, Mr. Vogele and Mr. Shingleton returned to complete the remaining survey work in the northeastern portion of the area. In addition, Mr. Whitehorn, Ms. Wilson, and Ms. Garrett accompanied Mr. Vogele and other USACE employees on December 11, 2002 in a boat shoreline survey of the eastern shore of Skiatook Lake.

As a result of the surveys undertaken in November and December 2002 of the proposed CrossTimbers golf course area, two additional historic properties were discovered (Henry 2002). As documented in the report and site forms prepared by Dr. Donald Henry of the University of Tulsa, sites 34OS676 and 34OS677 are historic period archeological sites that are 20th century in origin. Site 34OS676 is composed of the remains of a 1930 oil well drilling location, while site 34OS677 is the remains of the John H. Rogers farmstead occupied from the 1930s – 1970s. USACE agrees with the recommendations of Dr. Henry that sites 34OS676 and 34OS677 are not eligible for listing on the NRHP. The Oklahoma State Archeologist and the Oklahoma State Historic Preservation Officer have concurred with our opinion that these sites are not eligible for listing on the NRHP (Appendix D).

As previously indicated, USACE began formal consultation with the Osage Nation and the Quapaw Tribe regarding the proposed CrossTimbers development in October 2002. During the consultation the Osage and Quapaw expressed concerns that golfers utilizing the

CrossTimbers golf course might display behavior at Healing Rock that the tribes consider inappropriate in the context of this traditional cultural property. With this concern in mind, options to minimize the likelihood of such activities taking place at Healing Rock were explored by USACE, SEDA, and the Osage and Quapaw tribes. Ultimately, these discussions lead to two government-to-government meetings between the parties on-site at Healing Rock. The last of these meetings, held January 3, 2003, resulted in a verbal agreement between USACE, SEDA, and the Osage and Quapaw tribes that Healing Rock and the access trail to Healing Rock leading from the USACE Skiatook Lake office would be excluded from the proposed lease area (Figure 5). In order to allow public access to the site while minimizing the likelihood of inappropriate golfer behavior at Healing Rock, the following provisions were agreed to by all parties: 1) an area 100 feet on all sides of Healing Rock and approximately 50 feet on either side of the Healing Rock access trail will be excluded from the proposed SEDA lease area and removed from development as part of the CrossTimbers golf course; 2) the trail and excluded area around Healing Rock will be maintained as part of the maintenance agreement for the USACE Skiatook Lake office compound; and 3) provisions will be established in the SEDA lease agreement and any sub-lease agreement to address future inadvertent discoveries of cultural resources within the entire area proposed for lease.

To summarize, cultural resources surveys conducted in 2002 within the proposed SEDA lease area identified a range of cultural resources present. Sites 34OS676 and 34OS677 are both historic 20th century archeological sites that have been determined to be ineligible for listing on the NRHP. Site 34OS678 appears to be a relatively undisturbed prehistoric burned rock mound. Site 34OS678 has been assessed as being potentially eligible for listing on the NRHP. This site is located in the mowed front yard of the USACE Skiatook Lake office, and as such will be excluded from the proposed SEDA lease area along with the remainder of the office compound. Site 34OS679 is Healing Rock, a large upright rock associated with early Native American Church activities in the area and relocated to its current position by USACE in 1986. Consultation between USACE, SEDA, and the Osage and Quapaw tribes have led to an agreement to remove Healing Rock and the access trail from the proposed lease, to require the access trail and area around Healing Rock to be maintained by the leasee or sub-leasee, and that provisions will be inserted in the SEDA lease agreement and any sub-lease agreement to address future inadvertent discoveries of cultural resources in the area proposed for lease. All parties have agreed that these actions concerning Healing Rock and the access trail will minimize the likelihood of inappropriate behavior at Healing Rock while continuing to allow public access to the site.

Because USACE, SEDA, and the Osage Nation and Quapaw Tribe have agreed to exclude sites 34OS678 and 34OS679 from the proposed SEDA lease area and future development associated with the lease, USACE feels that the proposed lease of the identified property to SEDA will have no adverse effect on historic properties. The Oklahoma State Archeologist and the Oklahoma State Historic Preservation Officer have agreed with our determination of no adverse effect on historic properties regarding this proposed lease (Appendix D).

8. Water Quality. Surface water quality impacts associated with the proposed golf course could conceivably occur in three aquatic environments: (1) Skiatook

Lake, (2) Hominy Creek below Skiatook Dam (for the portion of the golf course draining to this system), and (3) constructed surface waters on the golf course. Potential contaminants could be transported to these systems via surface or subsurface flows. Chemical constituents of potential concern could include nutrients (nitrogen and phosphorus) from fertilizers, pesticides and herbicides, and sediment. Excessive nutrients are of concern in surface waters owing to their ability to promote excessive algae growth. At elevated concentrations, pesticides and herbicides can negatively impact aquatic organisms or result in contamination of waters used for water supply purposes. Decreased water clarity, loss of storage capacity, and reduced aesthetics are among potential detrimental impacts associated with excessive sediment transport to surface waters.

The area of the proposed golf course on Skiatook Point is estimated at 318 acres. Approximately 198 acres is included in the Skiatook Lake watershed while the remaining 120 acres drain to Hominy Creek below Skiatook Dam. Accordingly, any runoff from approximately 36% of the golf course area would not enter Skiatook Lake. The topography of the golf course within the watershed includes rolling hills that vary from 720 to 900 feet in elevation consisting primarily of Blackjack and Post Oak forests. The forested areas are dense canopy with minimal vegetation. Sandstone surface rocks are significantly interspersed throughout the forests. Prairie grass exists primarily on the man-made features of pipeline easements and road shoulders. For the Hominy Creek watershed, depending upon the precise design of the golf course, the distance from the proposed golf course to the creek would be greater than 500 feet through Blackjack and Post Oak forests.

Primarily due to the topography of Skiatook Point, it is economically infeasible to totally contain surface runoff from the golf course. Therefore, the golf course would include several design features intended to mitigate potential impacts upon the water quality of Skiatook Lake and other surface waters. These features include a buffer of natural vegetation between the maintained turf and the water's edge which would average 125 feet for slopes less than 10% and 200 feet for slopes greater than 10%. Forests within the buffer zone would be selectively thinned to increase the amount of sunlight at ground level to promote dense cover vegetation. This vegetation would better retain and absorb sediment and nutrients, keeping them from reaching the lake. Natural vegetation would be enhanced with additional plant varieties (e.g. poplar and cottonwood trees, grasses such as buffalo and couch, ferns and other low-growing plants) that have been proven effective in absorbing nitrogen and phosphorous. These plant varieties have been successfully used downstream of cattle pastures to protect downstream water sources from high nitrogen and phosphorous levels (See Using Buffers to Reduce Sediment," http://www.rivers.gov.au/acrobat/techguidelines/tech_guide_vol2_chapd.pdf; and "Conservation Buffers and Water Quality," <http://www.ipm.iastate.edu/ipm/icm/2000/6-12-2000/consbuffers.html>). While desirable from a water quality standpoint, thinning of the buffer zone area could have an adverse effect upon the quality of the crosstimbers ecosystem. Infiltration trenches may be used to enhance the performance of the buffer zone next to the golf course.

Additional design features or construction techniques to supplement the buffer zone would include the following:

(1) Man-made and constructed wetlands, ponds and other water features would be used to collect surface runoff and prevent potential contaminants including nutrients (nitrogen and phosphorus) from fertilizers, pesticides and herbicides, and sediment from being transported to the lake. A study by Purdue University's Environmental Sciences and Engineering Institute determined that that proper use of fertilizers and pesticides on golf courses does not add any chemicals to surface or ground water. Purdue University Professor Zachary Reicher indicates. "In fact, the grass itself actually will use or trap most of the nutrients and chemicals contained in runoff from adjacent areas." (See <http://news.uns.purdue.edu/html4ever/020708.Reicher.wetlands.html>).

(2) Infiltration trenches adjacent to Sand based putting greens drained to gravel sumps or to man-made water features.

Small sedimentation ponds would be constructed upstream to reduce nutrient and sediment deposits from impacting the water quality of wetlands and water features.

(3) Berms and swales adjacent to or incorporated into tees, fairways, and roughs to direct and/or collect runoff discharged into man-made water features.

A Turf Management Plan, to be included in the CrossTimbers Environmental Management Plan (EMP), would specify types, amounts, and usage frequency of turf management chemicals to be used on the golf course. All applied products would be EPA approved. These chemicals are non-persistent, short-lived, degradable, and non-mobile. Where practical, foliar applied liquid fertilizers would be used that are readily absorbed by the turf, thereby minimizing their availability for runoff. Granular fertilizers used to supplement liquid fertilizers are made by Nature Safe (www.naturesafe.com). These products include slow-release organic fertilizers enhanced with food energies from yeast, sugars, carbohydrates, proteins, fats, vitamins and enzymes. Together these ingredients increase the natural soil microbes which aid in turf rooting, stress tolerance and disease management. They also contain humus as a soil condition to buffer salts and improve the nutrient holding capacity of soils. They are low salt index organic fertilizers ideal for hot weather application to promote turf recovery and increase wear and stress tolerance. The cumulative effect of these types of products in turf management increases the performance of the turf to filter, trap, and absorb potential contaminants and sediment and prevent these contaminants from entering surface or ground waters.

The primary objective of the fertility program to be used on the CrossTimbers Golf Course would be to create a soil environment where sufficient nutrients are available for optimal plant health with minimal risk to water quality. Studies conducted by Michigan State University have proven that healthy turf along with thatch bind most all of the applied nitrogen. Unused nitrogen is consumed by microorganisms which, when they die, release nitrogen as complex forms of N that do not move downward to any extent in soils. Natural organic and slowly soluble fertilizers would be used in conjunction with liquid fertilizers. These forms of fertilizers are non-mobile and timed to release nutrients for staged uptake by the turf. In order to reduce the amount of nutrients having to be applied, mowing practices

would include “grasscycling”. Returning the grass clipping to the maintained turf provides four pounds of nitrogen, ½ pound of phosphorus and two pounds of potassium for every 100 pounds of dried grass clippings (according to North Carolina State University). No fertilizer would be applied within the natural buffer area between the maintained turf and Skiatook Lake.

All products to be used on the CrossTimbers Golf Course would have been thoroughly tested by the manufacturer and approved by the Environmental Protection Agency (EPA) before registration and release to the public. All applications would be made by a licensed applicator in accordance with State of Oklahoma requirements. Products would be selected for use based upon published charts listing maximum recommended application rate of active ingredient per acre and a leaching potential rate. Products used would be chosen to minimize risk of impacting water quality. No products would be applied within the natural buffer area between the maintained turf and Skiatook Lake.

Additional mitigating management programs which would be included in the EMP include an Integrated Pest Management Plan which would determine thresholds for pesticide usage thereby reducing the availability of pesticides as a potential contaminant; and a fertigation system which would be used to apply fertilizers on a continuous basis. This application process maximizes the absorption of fertilizers by plants thereby reducing the availability of fertilizers as a potential contaminant to ground and surface waters.

Potential contaminants from marina operation include petroleum products, i.e., oils and gasoline, and solid waste. The marina would be designed to minimize impacts to lake water quality. Strict adherence to state and federal regulations coupled with proper maintenance and material-handling procedures should ensure a minimum impact to water quality from marina operations. The marina management plan would contain procedures and instructions for safe guarding the lake water quality (see marina environmental features sheet in Appendix C). The possible restriction of only allowing boats with 4-stroke motors to lease space at the marina would be investigated.

In order to minimize or eliminate temporary impacts to water quality during the construction of the golf course, village, and related features, as well as during turf establishment, measures would be taken to reduce impacts (i.e. stormwater construction permits and appropriate protective measures). A stormwater management plan would be required during operation of the facility. All applicable laws and regulations concerning stormwater management would be followed during the construction and operation of the project.

In order to ensure water quality protection, sufficient detail regarding chemical application rates, qualifications and training of grounds maintenance and chemical application personnel, and other personnel involved in golf course operations would be provided in the EMP as described in Section V of this document.

9. Air Quality. Conformity to the 1993 Conformity Rule (USEPA) for ambient air quality is not necessary because no foreseeable emissions from activities of this proposed project would result in a non-attainment area. Skiatook Lake is not located in a

non-attainment area as described by the Clean Air Amendments of 1990, the USEPA, or the U.S. Army Environmental Hygiene Agency (USAEHA 1990).

10. Noise. Construction of the proposed golf course, RV park, marina, and village would result in the temporary increase in noise levels in the project area. The types of construction equipment that would likely be used in the project area (e.g., tractor, loader, or backhoe) would generate noise levels of 80-90 dBA at a distance of 50 feet (Jones & Stokes 1998). The operation of construction equipment can vary from intermittent to fairly continuous and many pieces of equipment can operate at the same time. Assuming a bulldozer (87 dBA), backhoe (90 dBA), and front-end loader (82 dBA) are operating simultaneously in the same area, peak construction-period noise could be approximately 94 dBA at 50 feet for the construction sites (Jones & Stokes 1998).

Although construction-related noise levels could occur in the construction areas of the project during the initial construction period of up to 2 years, these effects are considered relatively minor for the following reasons: construction noise effects would be temporary, the period of most intense construction activity would occur in a relatively short period of time (several months) for golf course layout that is near to any residence, and most construction would occur in areas that are not sensitive to noise.

C. INDIRECT AND CUMULATIVE EFFECTS.

Cumulative effects from construction of the projects include loss of natural habitat. Approximately 150 acres for the golf course would be placed under planned maintenance. All of this, except approximately 6.5 acres, would be covered in a variety of plants and grasses. Native species of plants and grasses would be used when practical.

The marina would use approximately 30 acres of water and 5 acres of land. The village and cabins would use approximately 40 acres of timbered and grassland property. The extension of the campground would use approximately 30 acres of mostly open grassland property (see Table 1).

Impacts to water quality (surface and ground water) and wildlife (flora and fauna) would depend on the quality of golf course design and maintenance. Excessive application of fertilizers could result in nutrient loading into the lake and/or nitrate contamination of ground water. The use of insecticides and herbicides could result in either temporary or sustained damage(s) to the terrestrial and aquatic ecosystems within and adjacent to the protected area, depending upon the pesticide product(s) used. Non-point source inputs to the lake and ground water from these applications are moderated by the frequency of use, quantity per application, assimilation by vegetative ground cover, precipitation duration and frequency, soil drainage characteristics, and depth to bedrock. Because the project has been designed to minimize the use of fertilizers, herbicides, and pesticides by reducing the overall area of managed turf, significant cumulative effects from operation of the facility are not anticipated. Also, a Turf Management Plan and Integrated Pest Management program would be used to regulate the amount and types of products used (see golf course design sheets in Appendix C).

Impacts to water quality would also depend on the proper operation of the marina. Controlling the fuel and oil processes both at the marina and onshore would be of the highest importance. Proper waste disposal and hazardous material handling both by the marina staff and private boaters would be strictly monitored and controlled. The marina would be designed to reduce and control potential pollution sources and mitigate their impacts (see marina environmental features sheet in Appendix C).

The golf course would increase traffic flow to Skiatook Point by 150 to 200 cars per day. Skiatook Point is accessible from the north via county road 1215 (Lake Road) off of State Highway 10. Skiatook Point is accessible from the east via Rogers Blvd (old SH20) off of State Highway 20. Skiatook Point is accessible from the south and west via the lake access road via W. 103rd St. from N. 52nd W. Ave and State Highway 11. The Bureau of Indian affairs will be extending N. 52nd W. Street from W. 103rd St. to 75th St. North to provide better access from the south to the west side of the lake. Tall Chief Cove Campground and the proposed Marina are accessible from the lake access road. Skiatook Economic Development Authority (SEDA) is working with the county, state, and federal agencies on improving the lake access road and other roads within the lake area.

As originally planned and authorized by Congress, the Skiatook Lake project anticipated much greater development of recreational areas and larger visitor numbers than have occurred to date. The Final Environmental Statement prepared for Skiatook Lake identified a total of seven public use areas to be developed on 1350 acres of USACE managed lands. The proposed lease area would consist of approximately 47% of the acreage identified to be developed at the lake (631 acres of proposed leased lands divided by 1350 acres identified to be developed) and just over 3% of the total project lands and water comprising the Skiatook Lake project (677 acres of total lease area divided by 20,000 acres of USACE managed lands). Prior to construction an average annual visitation of 1,455,000 people was estimated for the lake, which would have been supported in part by the seven proposed public use areas. Visitation to Skiatook Lake has never approached that anticipated prior to construction. Instead, annual visitation at Skiatook Lake has averaged slightly more than 586,000 during fiscal years 1999-2002. Cumulative impacts experienced at Skiatook Lake to date have not reached the levels originally contemplated, nor will they even with the addition of the CrossTimbers project.

USACE is updating the project master plan to reflect changes to the land use allocations for intensive and low-density use. There are approximately 80 acres that would require changing from low density to high density - 20 acres for the marina and 60 acres for the proposed adjacent cabin locations (depending on where the boundaries are drawn). The proposed area for the camping loop, conference center and golf course are already identified as recreation - intensive use and would not require any revision. The approximately 66 acres between the Dam and Tornado Cove would remain low density and available for hiking, nature trails, and other low density uses.

Other indirect and cumulative impacts considered in this evaluation are summarized in Table 2.

V. MITIGATION REQUIREMENTS

During the planning phase of Skiatook Lake, the Fish and Wildlife Service (USFWS) was funded to conduct appropriate fish and wildlife studies and make recommendations for mitigation features in accordance with the Fish and Wildlife Coordination Act (FWCA). The project was also coordinated with the Oklahoma Department of Wildlife Conservation (ODWC) who concurred in the USFWS recommendations. By letter dated 8 February 1966, the USFWS first reported on the project and subsequently supplemented the 1966 report with a letter report dated 12 February 1975. These reports are included in Appendix E, along with the District's mitigation analysis and recommended mitigation measures, which have been implemented.

The FWCA reports assessed the impacts of constructing Skiatook Lake including construction of 6 public use areas around the lake and one below the dam. In 1986 construction on most of the public use areas was modified due to enactment of the Water Resources Development Act of 1986 (WRDA 86), which required a cost-share sponsor. Consequently, the originally planned public use area for the proposed CrossTimbers project area was never constructed.

Presently the Skiatook Point area and Tall Chief Cove area are zoned recreation intensive use. The area along the dam to Tall Chief Cove is zoned low-density recreation. Since impoundment, the lake area at the proposed marina site has been open to the public for fishing and other forms of recreational uses. With the proposed project, construction activities would reduce the existing value of the terrestrial resources over that which presently exists, and to lesser extent over that which was originally planned for the area (traditional Corps of Engineers public use facilities). The difference, however, is that the project was originally planned and impacts to fish and wildlife resources evaluated for the traditional types of Corps of Engineers land and water based recreational development. Typically, this would have included construction of facilities associated with camping, picnicking, boating, and swimming.

The proposed development includes non-traditional features such as golf courses, lodges, cabins, and marinas, which are quite different, and impacts of these facilities were not considered by the resource agencies in 1966 or 1975. Consequently, there would be some additional impact above that originally considered in the project FES and CAR due to the intensive use associated with the proposed changes in types of activities and construction activities. To date, this difference is uncertain and has not been quantified or evaluated by a habitat based evaluation. However, the proponent has agreed to develop mitigation for both

TABLE 2
Indirect and Cumulative Impacts

Issue	No Action Alternative	CrossTimbers Project
Roads	No insignificant or significant impacts; no mitigation measures would be required.	Long-term significant beneficial; no mitigation would be required.
Schools	No insignificant or significant impacts; no mitigation measures would be required.	Long-term significant beneficial; no mitigation would be required.
Potable Water	No insignificant or significant impacts; no mitigation measures would be required.	No insignificant or significant impacts; no mitigation would be required.
Water Delivery Systems	No insignificant or significant impacts; no mitigation measures would be required.	Short term insignificant adverse; no mitigation would be required.
Adjacent Development	No insignificant or significant impacts; no mitigation measures would be required.	No insignificant or significant impacts; no mitigation would be required.
Law Enforcement	No insignificant or significant impacts; no mitigation measures would be required.	No insignificant or significant impacts; no mitigation would be required.
Economics	No insignificant or significant impacts; no mitigation measures would be required.	Significant long-term beneficial; no mitigation would be required.
Fire Protection	No insignificant or significant impacts; no mitigation measures would be required.	No insignificant or significant impacts; no mitigation would be required.
Sewage	No insignificant or significant impacts; no mitigation measures would be required.	No insignificant or significant impacts; sewage facilities will be constructed in accordance with all applicable laws.
Socio-economics	No insignificant or significant impacts; no mitigation measures would be required.	Significant long-term beneficial to local and regional area; insignificant adverse to taxpayer; no mitigation measures would be required.
Air Quality	No insignificant or significant impacts; no mitigation measures would be required.	No insignificant or significant impacts; no mitigation measures would be required.
Nightglow	No insignificant or significant impacts; no mitigation measures would be required.	No insignificant or significant impacts; lighting will be designed such that no mitigation measures will be required.
Public Access	No insignificant or significant impacts; no mitigation measures would be required.	Significant long-term beneficial; no mitigation measures would be required.
Ratio of proposed project to total project land	No insignificant or significant impacts; no mitigation measures would be required.	No insignificant or significant impacts; no mitigation measures would be required.

the terrestrial and aquatic ecosystems in conjunction with USACE, USFWS and ODWC, and to implement required mitigation measures prior to initiation of construction for each element of the proposed project.

Ultimately, the CrossTimbers Project would be designed and operated according to a comprehensive Environmental Management Plan (EMP). This plan would provide sufficient, detailed descriptions for design, operation, and mitigation features necessary to address all environmental issues identified in this environmental assessment. While this document would provide for comprehensive environmental management, specific details of particular emphasis would include:

- Terrestrial and aquatic mitigation plan coordinated with USACE, ODWC, and USFWS.
- Old growth ancient forest survey mapping and approval of impacts to this unique resource by the USACE project delivery team;
- Establishing provisions for dealing with inadvertent discoveries of cultural resources; and
- Appropriate details for site-specific chemical application rates and related considerations for golf course operations to promote water quality protection.

These specific requirements would likewise become conditions of the lease agreement with the USACE. Prior to initiation of the construction of any project feature (e.g. golf course, marina, etc), the EMP section associated with the feature must be approved by the USACE members of the Skiatook Lake Demonstration Lake Project Delivery Team.

VI. FEDERAL, STATE, AND LOCAL AGENCY COORDINATION.

The draft Environmental Assessment was coordinated with the following agencies having legislative and administrative responsibilities for environmental protection as well as those on the attached mailing list:

- U.S. Fish and Wildlife Service
- Oklahoma Department of Wildlife Conservation
- U.S. Natural Resources Conservation Service
- Oklahoma Department of Environmental Quality
- Oklahoma State Historic Preservation Officer
- Oklahoma State Archaeologist
- Osage Nation
- Quapaw Tribe
- Wichita and Affiliated Tribes
- Kiowa Tribe
- Comanche Tribe
- Oklahoma State Conservationist
- Oklahoma Department of Tourism
- Oklahoma Department of Transportation
- Oklahoma Water Resources Board
- Oklahoma National Heritage Inventory
- City of Skiatook
- City of Tulsa
- City of Sand Springs
- City of Sapulpa
- Indian Nations Council of Government

VII. MAILING LIST FOR CROSSTIMBERS PROJECT EA

Dr. Bob Brooks
State Archeologist
Oklahoma Archeological Survey
111 E. Chesapeake
Norman, OK 73019

Dr. Bob Blackburn
State Historic Preservation Officer
Oklahoma Historical Society
2704 Villa Prom
Shepherd Mall
Oklahoma City, OK 73107

Mr. Anthony Whitehorn
Cultural Resource Management
Osage Nation of Oklahoma
627 Grandview Ave.
Pawhuska, OK 74056

Ms. Carrie Wilson
Quapaw Tribe of Oklahoma
P.O. Box 765
Quapaw, OK 74363

Mr. Gary McAdams, President
Wichita and Affiliated Tribes of Oklahoma
P.O. Box 729
Anadarko, OK 73005

Comanche Tribal Business Committee
HC 32 Box 1720
Lawton, OK 73502

Mr. Sherman Chaddlestone
Cultural Resource Management
Kiowa Indian Tribe of Oklahoma
P.O. Box 369
Carnegie, OK 73015

Mr. Bobbye Jack Jones
State Conservationist
NRCS
Agriculture Center Office Building
Farm Road and Brumley Street
Stillwater, OK 73074

Ms. Sue Woodward, President
Oklahoma Audubon Council
1728 Quaker
Tulsa, Ok 74120

Mr. Mark Coleman, Director
ODEQ
1000 N.E. 10th Street
Oklahoma City, OK 73117-1212

Ms. Jane Jayroe
Cabinet Secretary
Oklahoma Department of Tourism
15 North Robinson, Suite 100

Mr. Glen Cheathum
Waterways Branch
Oklahoma Department of Transportation
P.O. Box 660
Tulsa, Ok 73104-0660

Mr. Gregg Duffy, Director
Oklahoma Department of Wildlife Conservation
1801 N. Lincoln
Oklahoma City, OK 73105

Mr. Ron Suttles, Environmental Programs
ODWC
1801 N. Lincoln
Oklahoma City, OK 73105

Ms. Caryn Vaughn, Director
Oklahoma National Heritage Inventory
111 East Chesapeake St.
Norman, OK 73109

Mr. Derek Smithee, Chief
Water Quality Programs Division
OWRB
3800 North Classen Blvd.
Oklahoma City, OK 73118

Mr. Mike Mathis
Oklahoma Water Resources Board
3800 N. Classen Blvd.
Oklahoma City, OK 73118

Mr. Jerry Brabander, Field Supervisor
U.S. Fish and Wildlife Service
222 S. Houston, Suite A
Tulsa, OK 74127

Mayor, City of Skiatook
PO Box 399
Skiatook, OK 74070

Mayor, City of Tulsa
200 Civic Center
Tulsa, OK 74103

Mayor, City of Sand Springs
PO Box 338
Sand Springs, OK 74063

Mayor, City of Sapulpa
PO Box 1130
Sapulpa, OK 74067

Director,
Indian Nations Council of Governments
201 West 5th St. Suite 600
Tulsa, Ok 74103-4236

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Skiatook, OK 74070

Jim Aeslar
10890 W. Burton Lane
Skiatook, OK 74070

Beverly Taylor
14790 Chanel Lane
Skiatook, OK 74070

Wayne and Betty Barton
601 W. 5th
Skiatook, OK 74070

Shantelle Sutton
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Skiatook, OK 74070

Roger Clarke
14765 Chanel Lane
Skiatook, OK 74070

Kevin Stubbs
15501 N. 95th
Skiatook, OK 74070

Robert Butler
1714 S. Boston
Tulsa, OK 74119

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Skiatook, OK 74070

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Skiatook, OK 74020

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Skiatook, OK 74070

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Skiatook, OK 74070

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Skiatook, OK 74070

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Skiatook, OK 74070

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Skiatook, OK 74070

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Skiatook, OK 74070

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Skiatook, OK 74070

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Skiatook, OK 74070

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Skiatook, OK 74070

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110 E. 136th Street N
Skiatook, OK 74070

Jim and Sharon Burton
P.O. Box 669
Skiatook, OK 74070

Carol Mitchell
14630 Valley View Dr.
Skiatook, OK 74070

Osage Log Hoomes
P.O. Box 119
Skiatook, OK 74070

Richard Barton
Crystal Bay Marina
H.C. 67 Box 3500
Skiatook, OK 74070

Kevin Clough
East Ridge Estates
Homeowners Association
P.O. Box 1055
Owasso, OK 74055

Dr. John Lamberton
Northeastern State University – Broken Arrow
3100 E. New Orleans
Broken Arrow, OK 74014

Robert Breuning
North Star Economic Development Council, Inc.
P.O. Box 654
Skiatook, OK 74070

VIII. REFERENCES

- Bailey, Robert G., 1995. Description of the Ecoregions of the United States. United States Department of Agriculture, Forest Service, Miscellaneous Publication 1391.
- Bersche, G., 1991. Legendary 'Healing Rock' Remains Mystical to Many. Tulsa District Record, US Army Corps of Engineers, Tulsa District, Tulsa, OK.
- Henry, Donald O., 1979. The Prehistory and Paleoenvironment of Hominy Creek Valley 1978 Field Season. Laboratory of Archaeology, Department of Anthropology, University of Tulsa. Tulsa, Oklahoma. Contract No. DACW56-77-C-0222. US Army Corps of Engineers, Tulsa District, Tulsa, OK.
- Henry, Donald O., 1982. The Prehistory and Paleoenvironment of Hominy Creek Valley 1979 Field Season. Laboratory of Archaeology, Department of Anthropology, University of Tulsa. Tulsa, Oklahoma. Contract No. DACW56-77-C-0222. US Army Corps of Engineers, Tulsa District, Tulsa, OK.
- Henry, Donald O., 2002. Field Inspections of Sites 34OS676 and 677, Skiatook Lake Area, Osage County. Ms. on file, US Army Corps of Engineers, Tulsa District, Tulsa, OK.
- Jones & Stokes Associates, Inc. 1998. Environmental assessment for golf course, Thompson Peak Parkway, and Desert Greenbelt flood control facilities. Final. January. (JSA 95-334.) Phoenix, AZ. Prepared for U.S. Bureau of Reclamation, Phoenix, AZ.
- NRS Consulting Engineers, 1996. Environmental assessment for Kiamichi Park, Hugo Lake. November. Texarkana, AR. Prepared for U.S. Corps of Engineers, Tulsa, OK.
- Oklahoma Climatological Survey Website, http://climate.ocs.ou.edu/normals_extremes.html
- Perino, Gregory, 1972. An Historical-Cultural Assessment of the Skiatook Reservoir, Osage County, Oklahoma. Prepared for U.S. Army Corps of Engineers (DACW56-72-C-0090), Tulsa OK.
- Rohrbaugh, Charles L, and Don G. Wyckoff, 1969. The Archaeological Survey of the Proposed Skiatook Reservoir, Osage County, Oklahoma. Oklahoma River Basin Survey Project, General Survey Report No. 11. University of Oklahoma Research Institute, Norman, OK.
- Stahle, D.W., M.T. Therrell, A.R. Baynard, and M.K. Cleaveland, 2000. Climate History Recorded by the Ancient Cross Timbers. Unpublished report. Tree-ring Laboratory, Department of Geography, University of Arkansas, Fayetteville.
- Therrell, M.D. and D.W. Stahle, 1998. A Predictive Model to Locate Ancient Forests in the Cross Timbers of Osage County, Oklahoma. *Journal of Biogeography* 25: 847-854.

Town of Skiatook Official Website, <http://www.skiatook.net>

U.S. Army Corps of Engineers, 1972. Environmental Statement Skiatook Lake, Hominy Creek, Oklahoma. Final. February. Tulsa, OK.

U.S. Army Corps of Engineers, 1997. Draft Environmental Assessment, Oklahoma Tourism and Recreation Department, Golf Course Construction, Lake Texoma, State Park, Lake Texoma, Oklahoma-Texas. U.S. Army Corps of Engineers, Tulsa OK.

U.S. Army Corps of Engineers, 1998. Water Quality Report for Skiatook Lake Oklahoma 1994. U.S. Army Corps of Engineers, S.W. Division, Tulsa. District, Tulsa, OK.

U.S. EPA. (1970). 40CFR1500 through 1508 ---National Environmental Policy Act. Washington, DC: U.S. Government Printing Office.

IX. APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS

TABLE 3

RELATIONSHIP OF PLANS TO ENVIRONMENTAL PROTECTION STATUTES AND OTHER ENVIRONMENTAL REQUIREMENTS	
Polices	compliance of Alternative
Federal	
Archeological and Historic Preservation Act, 1974, as amended, 16 U.S.C. 469, <u>et seq.</u>	All plans in full compliance
Clean Air Act, as amended, 42 U.S.C. 7609, <u>et seq.</u>	All plans in full compliance
Clean Water Act, 1977, as amended, (Federal Water Pollution Control Act) 33 U.S.C. 1251, <u>et seq.</u>	All plans in full compliance
Endangered Species Act, 1973, as amended, 16 U.S.C. 1531, <u>et seq.</u>	All plans in full compliance
Federal Water Protection Recreation Act, as amended, 16 U.S.C. 661, <u>et seq.</u>	All plans in full compliance
Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661, <u>et seq.</u>	All plans in partial compliance, additional coordination required
Land Water Conservation Fund Act, 1965, as amended, 16 U.S.C. 4601, <u>et seq.</u>	All plans in full compliance
National Historic Preservation Act, 1966, as amended, 16U.S.C. 470a, <u>et seq.</u>	All plans in full compliance
National Environmental Policy Act, 1970, as amended, 42 U.S.C. 4321, <u>et seq.</u>	All plans in full compliance
Native American Graves Protection and Repatriation Act, 1990, 25 U.S.C. 3001-13, <u>et seq.</u>	All plans in full compliance
Rivers and Harbors Act, 33 U.S.C. 401, <u>et seq.</u>	Not Applicable
Watershed Protection and Flood Prevention Act, as amended, 16 U.S.C. 1001, <u>et seq.</u>	Not Applicable
Wild and Scenic Rivers Act, as amended, 16 U.S.C. 1271, <u>et seq.</u>	Not Applicable

Water Resources Planning Act, 1965	Not Applicable
Floodplain Management (E.O. 11988)	All plans in full compliance
Protection of Wetlands (E.O. 11990)	All plans in full compliance
Environmental Justice (E.O. 12898)	All plans in full compliance
Protection of Children (E.O. 13045).....	All plans in full compliance
Farmland Protection Act, 7 U.S.C. 4201, <u>et seq.</u>	All plans in full compliance

Note: Full compliance-Having met all requirements of the statues, Executive Orders, or other environmental requirements for the current stage of planning.

X. LIST OF PREPARERS

U.S. ARMY CORPS OF ENGINEERS

Louis Vogele	Archeologist
Preston Hunter	Skiatook Lake Manager
Greg Bersche	Skiatook Lake Park Ranger

PLANNING DESIGN GROUP

Jim Crosby	Landscape Architect
------------	---------------------

HECKENKEMPER GOLF COURSE DESIGN

Randy Heckenkemper	Golf Course Designer
--------------------	----------------------

NORTHEASTERN STATE UNIVERSITY

John Lamberton, PhD	Environmental Mediator
---------------------	------------------------

ALEXANDER CONSULTING INC.

Tom J. Alexander, PhD, PG	Principal-in-Charge
---------------------------	---------------------

OKLAHOMA STATE UNIVERSITY-TULSA

Matt Albright, MS	Environmental Specialist
-------------------	--------------------------

UNIVERSITY OF TULSA

Donald O. Henry, PhD	Archeologist
----------------------	--------------

OSAGE COUNTY

Scott Hilton	Commissioner
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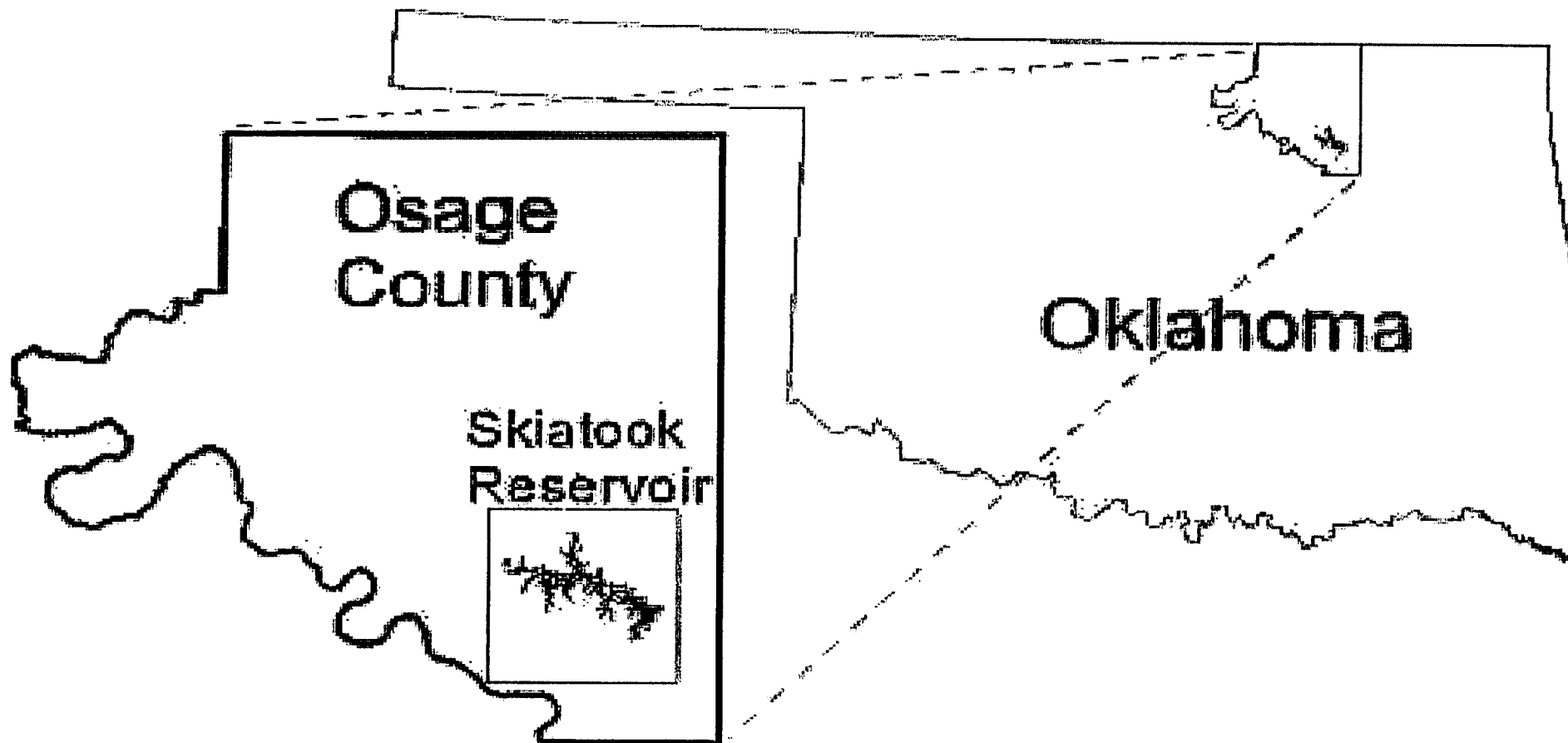



FIGURE 1 - General Vicinity Map, Skiatook Lake, Osage County, Oklahoma

 Lease Area

Total Ac - 677

Lake Office
Excluded from lease

Boat Ramp and Access Road
Excluded from lease area

Healing Rock and Path
Excluded from lease area

Sewage Treatment Lagoon
Excluded from lease area

Restroom Facility
Excluded from lease area

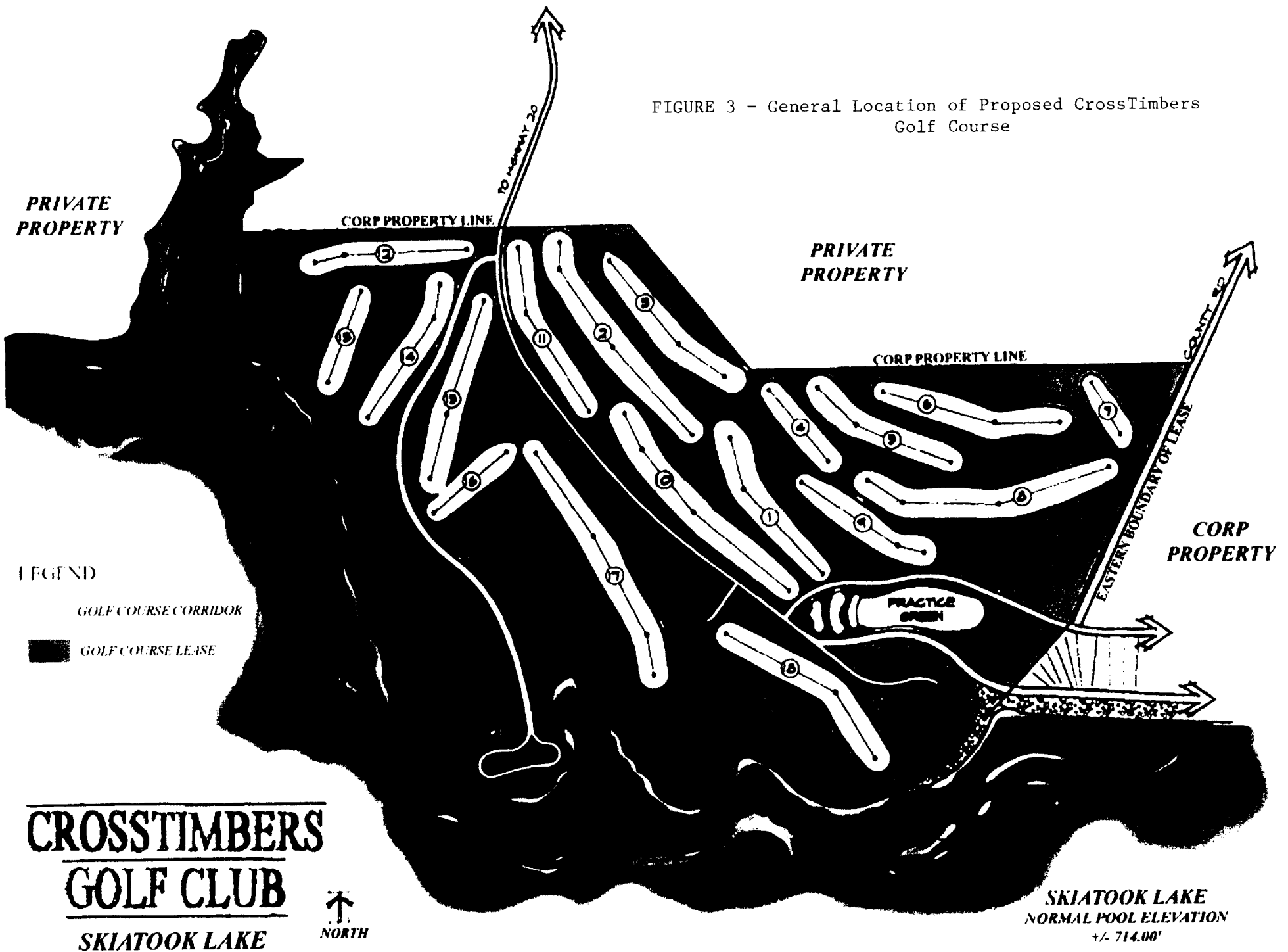
Skiatook Lake, Osage County, OK
DACA56-1-02-195

Skiatook Economic Development Auth
Cross Timbers Village and Golf Course

EXHIBIT A

FIGURE 2

FIGURE 3 - General Location of Proposed CrossTimbers Golf Course





Skiatook Lake, Osage County, OK

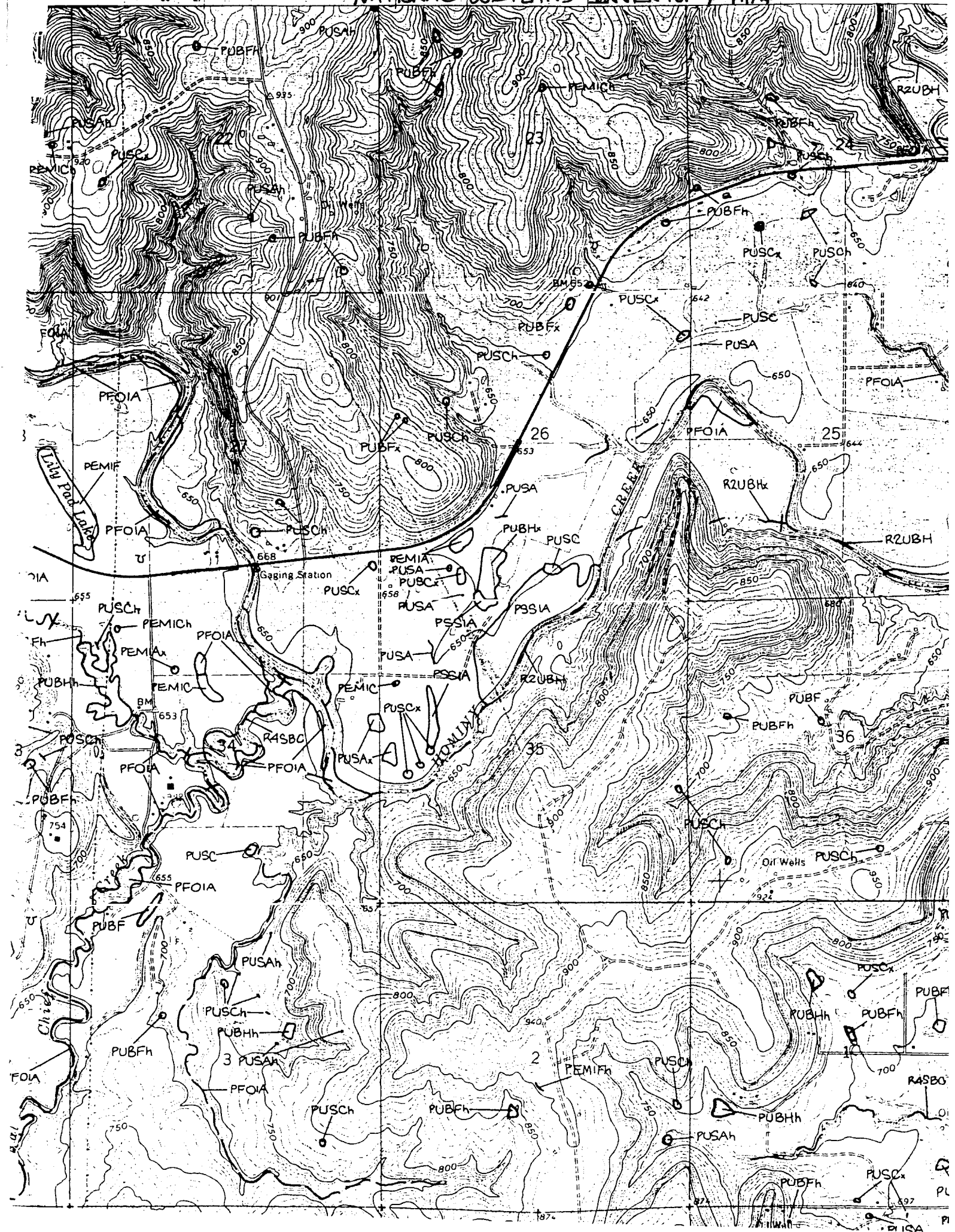
Healing Rock, Access Path
and Project Facility Area

Figure 5- Area excluded from
lease

APPENDIX A

Resource Agency Coordination Information

1. Знамениті люди





United States
Department of
Agriculture

Natural
Resources
Conservation
Service

Pawhuska Field Office
1000 W. Main, Suite 102
Rt. 1 Box 650
Pawhuska, Oklahoma 74056
(918) 267-3670 Extension 3

April 26, 2002

Att: Matt Albright

Kevin C. Coutant
State Source, L.L.C.
320 South Boston, Ste. 1030
Tulsa, OK 74103

Re: Environmental Assessment for Skiatook Area

Dear Mr. Coutant:

We have found there to is no known prime farmlands or other resources to be permanently adversely affected by said projects proposed for this sight. Impacts will be insignificant due to Lake and urban development.

Natural Resources Conservation Service

Troy Daniell, District Conservationist

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)

Name Of Project *Golf Course, Village, + Marina*
 Proposed Land Use *Golf Course, Village, + Marina*

Date Of Land Evaluation Request

Federal Agency Involved

County And State

Date Request Received By NRCS

PART II (To be completed by NRCS)

Does the site contain prime, unique, statewide or local important farmland?
 (If no, the FPPA does not apply - do not complete additional parts of this form)

Yes ☒No ☐

Acres Irrigated Average Farm Size

Major Crop(s)

Farmable Land In Govt. Jurisdiction

Acres:

%

Amount Of Farmland As Defined In FPPA

Acres:

%

Name Of Land Evaluation System Used

Name Of Local Site Assessment System

Date Land Evaluation Returned By NRCS

PART III (To be completed by Federal Agency)

	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly				
C. Total Acres In Site	0.0	550	0.0	0.0

PART IV (To be completed by NRCS) Land Evaluation Information

A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				

PART V (To be completed by NRCS) Land Evaluation Criterion

Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)

PART VI (To be completed by Federal Agency)	Maximum Points				
Site Assessment Criteria (These criteria are explained in 7 CFR 652.5(b))					
1. Area In Nonurban Use					
2. Perimeter In Nonurban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Government					
5. Distance From Urban Builtup Area					
6. Distance To Urban Support Services					
7. Size Of Present Farm Unit Compared To Average					
8. Creation Of Nonfarmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS	160	0	0	0	0

PART VII (To be completed by Federal Agency)

Relative Value Of Farmland (From Part V)	100	0	0	0	0
Total Site Assessment (From Part VI above or a local site assessment)	160	0	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	0	0	0	0

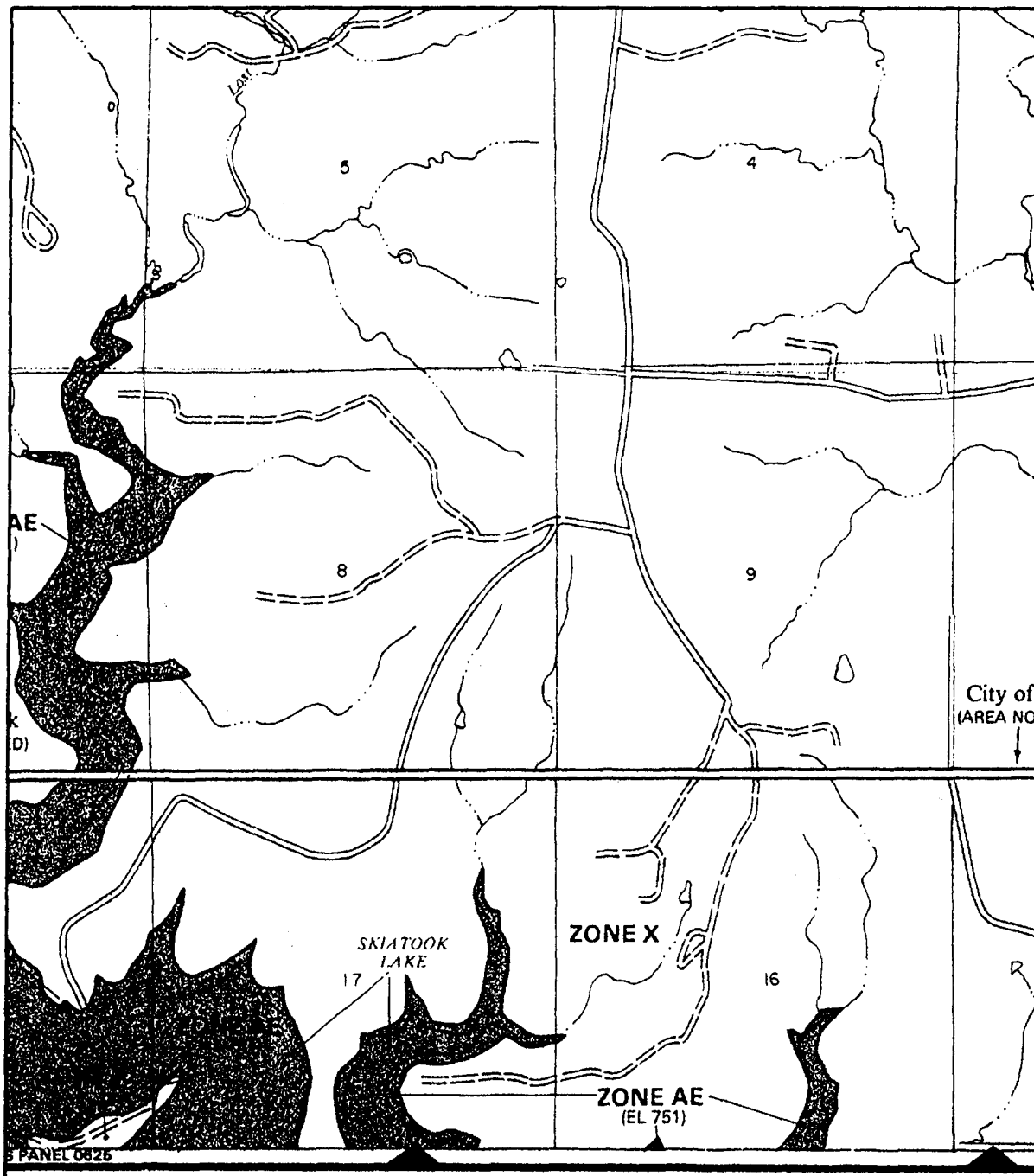
Site Selected:

Date Of Selection

Was A Local Site Assessment Used?

Yes ☐No ☐

Reason For Selection:



APPROXIMATE SCALE

2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 550 OF 875
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
400148 0550 C

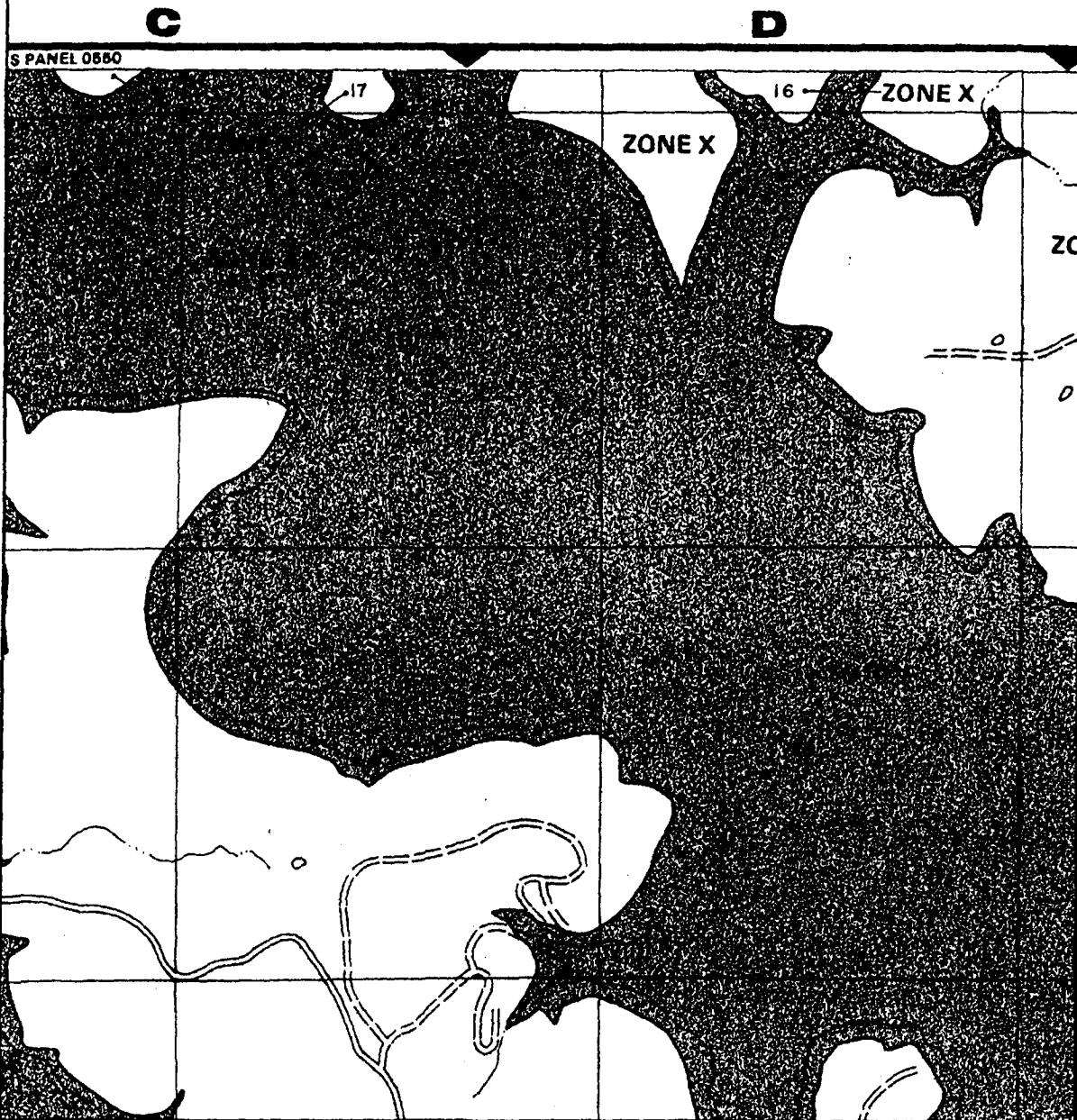
MAP REVISED:
DECEMBER 15, 1994



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

PANEL 0825



APPROXIMATE SCALE

2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 625 OF 675
(SEE MAP INDEX FOR PANELS NOT PRINTED)

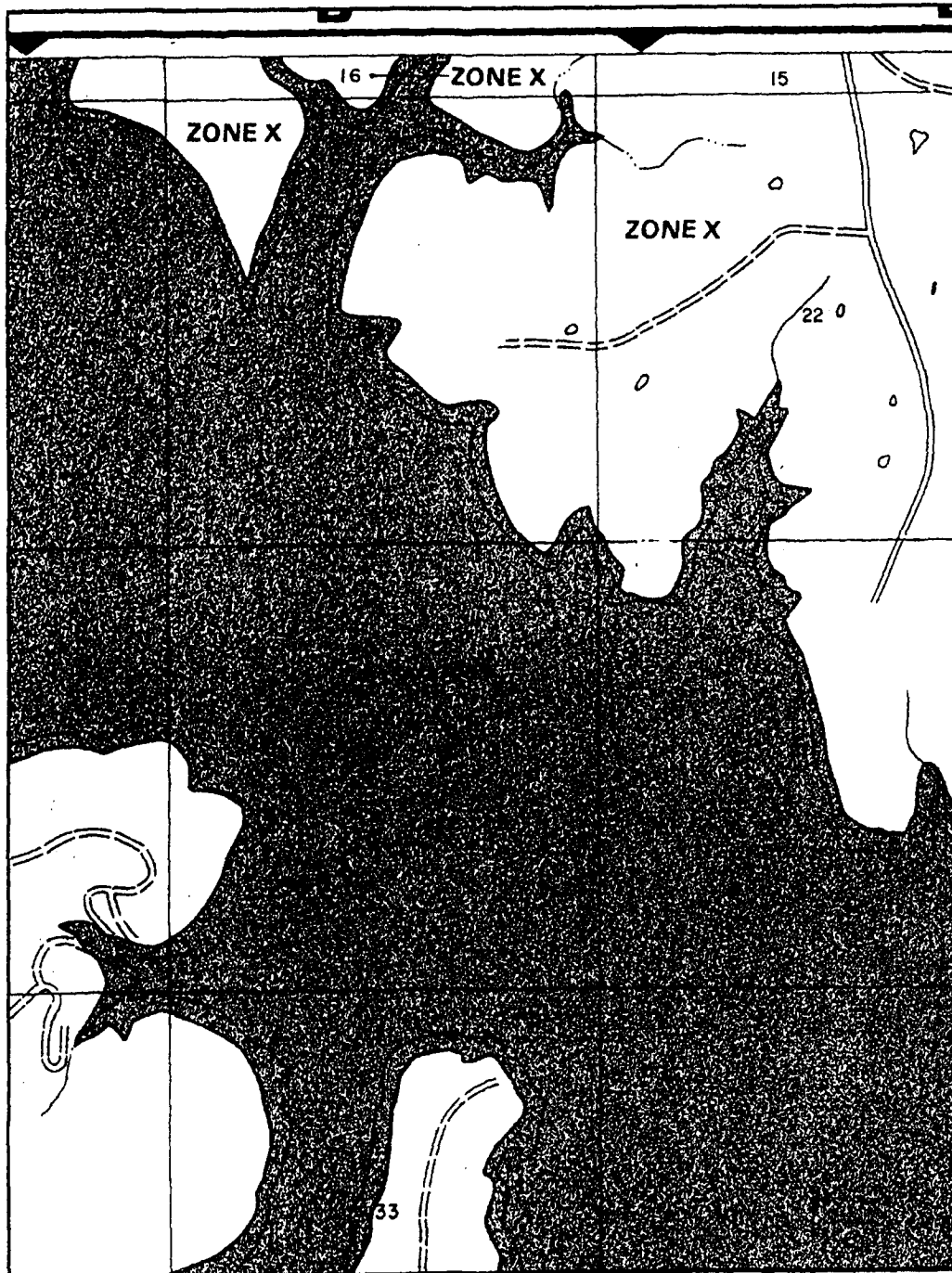
COMMUNITY-PANEL NUMBER
400148 0625 C

MAP REVISED:
DECEMBER 15, 1994



Federal Emergency Management Agency

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APPROXIMATE SCALE
2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 625 OF 675
(SEE MAP INDEX FOR PANELS NOT PRINTED)

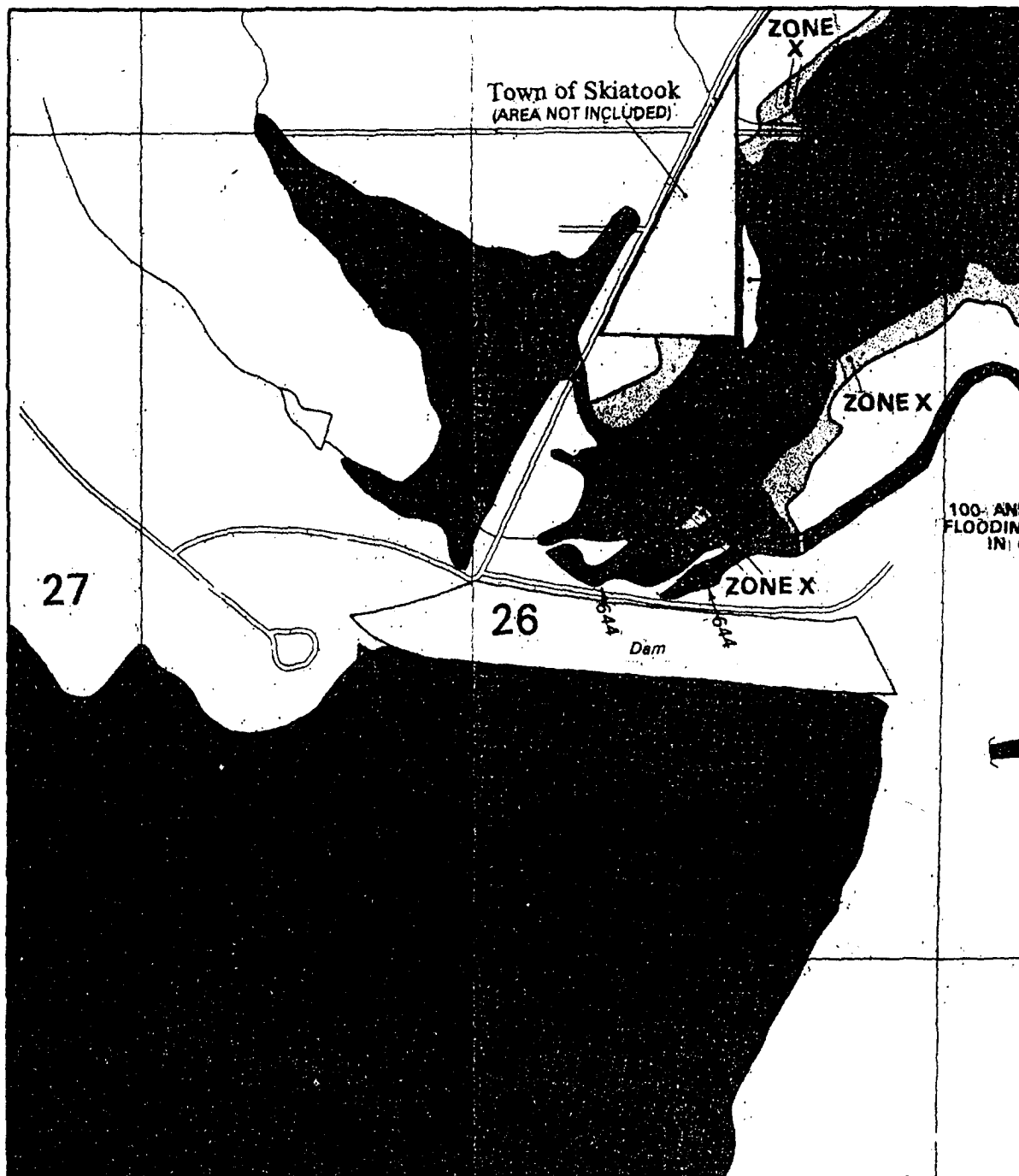
COMMUNITY-PANEL NUMBER
400148 0625 C

MAP REVISED:
DECEMBER 15, 1994



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.mec.fema.gov



APPROXIMATE SCALE

1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 810 OF 875
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
400148-0810 D

MAP REVISED:
MARCH 23, 1999



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

APPENDIX B

Threatened and Endangered Species Information and Coordination



United States Department of the Interior
FISH AND WILDLIFE SERVICE

Division of Ecological Services
222 South Houston, Suite A
Tulsa, Oklahoma 74127

In Reply Refer To:
FWS/R2/OKES/02-0305
2-14-02-1-0456

March 28, 2002

Matt Albright
Statesource, L.L.C.
320 South Boston, Suite 1030
Tulsa, Oklahoma 74103

Dear Mr. Albright:

This responds to your letter dated February 25, 2002, wherein you requested the Fish and Wildlife Service to provide information regarding federally-listed species that may occur in the area of proposed projects on Army Corps of Engineer land at Skiatook Lake, Osage County, Oklahoma. The proposed projects include a golf course sec. 27 and the W/2 of sec. 26, T. 22 N., R. 11 E.; Cross Timbers Village (including marina) in sec. 26 and 35, T. 22 N., R. 11 E., and sec. 2 and E/2 sec. 3, T. 21 N., R. 11 E.; and a camping/RV area in W/2 sec. 3, E/2 sec. 9, and W/2 sec. 10, T. 21 N., R. 11 E.

We have enclosed the current list of federally-listed, proposed, and candidate species that occur in Osage County. Section 7(a)(2) of the Endangered Species Act requires that any action authorized, funded, or carried out by a Federal agency be reviewed for the potential to jeopardize the continued existence of any federally listed threatened or endangered species or result in the destruction or adverse modification of designated critical habitat. It is incumbent on the Federal action agency to make this determination. In the event that a Federal agency determines that its action may affect a listed threatened or endangered species or designated critical habitat, the agency is required to consult with the Service regarding the degree of impact, and measures available to avoid or minimize the adverse effects.

In general fish and wildlife habitat in the Skiatook Lake area consists primarily of cross-timbers upland woods (dominated by post-oak and blackjack oak), bottomland forests (dominated by American elm, cottonwood, sycamore, burr oak, pin oak, shagbark hickory, black walnut, and pecan), and bluestem tall grass prairie (dominated by little bluestem, big bluestem, Indian grass, and switch grass in undisturbed areas; and by sideoats gramma, fall panicum, tall goldenrod, and blue sage in more utilized areas)(U.S. Army Corps of Engineers, 1995). The area supports a diversity of fish, mammals, birds, reptiles, and amphibians. We believe valuable wildlife habitat may be lost as a result of project implementation. We recommend that impacts to fish and wildlife resources be evaluated thoroughly, and, if necessary, a mitigation plan be developed cooperatively among the Corps, the Service, and the Oklahoma Department of Wildlife Conservation to compensate for any losses.

We appreciate the opportunity to provide comments. If you have any questions or require additional information, please contact Richard Stark of this office at 918-581-7458, extension 240.

Sincerely,

Kenneth D. Frazier

for Jerry J. Brabander
Field Supervisor

Enclosure

cc: Dist. Engineer, U.S. Army Corps of Engineers, Environ. Analysis & Compliance Sec. Tulsa, OK

References

U.S. Army Corps of Engineers. 1995. Bird Creek Basin Reconnaissance Study. Tulsa District. Tulsa, Oklahoma. 27 pp.

OKLAHOMA
FEDERALLY LISTED THREATENED OR ENDANGERED SPECIES,
PROPOSED SPECIES, AND CANDIDATE SPECIES,
OSAGE COUNTY
MARCH 2002

COUNTY
Osage

SPECIES
interior least tern
whooping crane
bald eagle
piping plover
mountain plover
Neosho mucket

CLASSIFICATION
Endangered
Endangered
Threatened
Threatened
Proposed Threatened
Candidate

WILDLIFE CONSERVATION COMMISSION

Harland Stonedapher
CHAIRMAN
Ed Able
SECRETARY
John D. Groendyke
MEMBER
John S. "Jack" Zink
MEMBER

Lewis Stiles
MEMBER
Mac McGuire
MEMBER
Douglas Schones
MEMBER
Bruce Mabrey
MEMBER



FRANK KEATING, GOVERNOR
GREG D. DUFFY, DIRECTOR

DEPARTMENT OF WILDLIFE CONSERVATION

1801 N. Lincoln

P.O. Box 53465

Oklahoma City, OK 73152

PH. 521-3651

June 10, 2002

Matt Albright
320 South Boston Avenue Suite 1030
Tulsa, Oklahoma 74103

Dear Mr. Albright,

This responds to your facsimile of March 5, 2002 requesting information regarding the possible presence of state threatened or endangered species as well as any environmental impact for the following:

Project: Golf course, Village, and Marina

Location: Section 26, 27, 35, T21N, R11E, Osage Co., Oklahoma

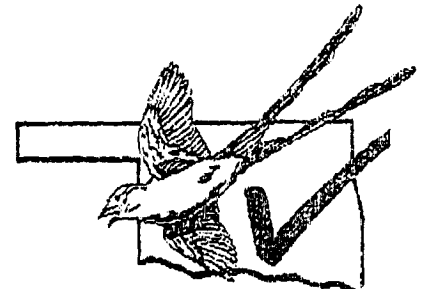
Please understand that due to time and personnel constraints this Department has not conducted an actual field survey of the proposed site. Therefore, we are unable to provide site-specific information. We have reviewed the information provided for this project against our current records of state endangered and threatened species. Our records are compatible with the Oklahoma Natural Heritage Inventory and it appears that no state listed species would be affected.

Please be sure to contact the US Fish and Wildlife Service's Tulsa office (918-581-7458) to determine if any federally-listed species will be affected. For additional information concerning sensitive species, we recommend that you contact the Oklahoma Natural Heritage Inventory, 111 East Chesapeake, Norman, Oklahoma 73019.

Thank you for the opportunity to comment. If we can be of further assistance, please contact our Natural Resources Section at 405-521-4616.

Sincerely,

Thomas Heuer
Natural Resources Biologist



Search for the Scissortail
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APPENDIX C

General Development Guidelines to be
Addressed in the Project Environmental
Management Plan

Cross Timber Golf Course Design Guidelines

Golf Course Areas

The golf course will be comprised of the following areas and their respective acreage:

A. Tees, fairways and greens- primarily open areas with maintained bentgrass and bermudagrass comprising approximately 35 to 40 acres.

B. Roughs- full sun areas will be bermudagrass, turf beneath the existing oak trees will be primarily tall fescue, less intense play area including the practice range will be Buffalograss and non-play areas disturbed to accommodate grade changes will be re-planted using prior disturbance plant materials native to the area.

Fertilizer, Pesticide and Herbicide Program

A detailed turf management program will be developed and used on a daily basis to manage the maintained turf so as to minimize the impact to the surrounding environment. Embracing Best Management Practice, Cross Timbers will employ a fertigation system that applies nutrients in minute amounts each day to prevent leaching and run-off while being readily absorbed by the turf. This program requires lower overall nutrient level than conventional application methods while yielding more dense turf. The plan will delineate such items as what types of fertilizer is used, how to assess proper applications, contingency planning, etc.

An Integrated Pest Management (IPM) program will be put in place to identify acceptable levels of insects and weeds. This type of program has resulted in lower amounts of pesticides and herbicides being applied. Employees will be trained to evaluate insect habits and to understand their impacts and development cycles.

Integrated Pest Management is an environmentally sensitive approach to managing pests utilizing biological, cultural, physical and chemical tools in a manner that reduces economic, health and environmental risks. IPM plans have seen increased acceptance by golf course superintendents and operators within the past 10-years reducing the risks and expense associated with pesticides and herbicides. Quality playing conditions dictate healthy dense turf. The golf course industry has learned that effective IPM programs enhance the environment and course profits.

Integrated Pest Management will be a part of the detailed golf course design process. We will identify areas that will require shaping or excavation but are best suited for native vegetation that is indigenous to the area. These areas conserve water and reduce pesticides and herbicides. Locations for nesting boxes will be delineated on the plans. Nestling boxes attract birds that help control insect population.

During course grow-in our superintendent will develop a detailed plan that becomes the operating guidelines for the maintenance staff. Key points of the plan will include the following:

- 1) Set action thresholds to establish point at which pest population warrants action being taken
- 2) Monitor, identify and classify pests into harmful and beneficial categories

Cross Timber Golf Course
Design Guidelines (Continued)

- 3) Establish monthly summary of cultural maintenance practices that encourage healthy plants and minimize the risk of pests becoming a threat
- 4) Develop a list of control options that are prioritized with less risky solutions being chosen first

Drainage

The design and maintenance of golf courses adjacent to lakes and streams creates opportunities for golfers and presents stewardship issues to designers. Sand based putting greens require internal drainage for rapid water removal during rains and receive the highest intensity of fertilizers and chemicals. All greens will be drained to gravel sumps to prevent water from running off into Skiatook Lake. Where topography permits, tees, fairways and roughs will be swaled to direct surface run-off into man-made wetlands and settling basins.

Earthworks

The shaping and contouring of championship golf courses is an artistic expression to enhance the physical characteristic of land while influencing playability of individual golf holes. The design of each golf hole will be carefully crafted based upon the physical characteristic of each specific area. Open area will be contoured to provide depth perception and framing of greens and landing areas. Wooded areas offering natural framing will receive little shaping and earth moving in order to minimize soil disturbance beneath tree canopies.

Wetlands

Man-made wetlands and water features will be integrated throughout the golf course. They will be used to enhance the course while providing areas for runoff and wildlife. The golf course architect uses experts in wetland construction and aquatic plants as consultants during design and construction.

Marina Environmental Features

The marina section of the CrossTimbers Environmental Management Plan will contain detailed information of proper operations. It is being developed with guidance from a variety of marina sources including:

The International Marine Institute's publication, "Practices & Products For Clean Marinas-A Best Management Practice Handbook.

Broward County, Florida-Pollution Prevention and Best Management Practices for Marine Facilities (BMPM)

1. Clean Marina and Boatyard
 - a. Clean and well lit restrooms
 - b. No overboard discharge of boat waste into marina or lake waters
 - c. Ample and conveniently located trash containers.
 - d. Good people habitat
 - e. Properly dispose of chemicals
 - f. Proper containment of paint and residue
 - g. Pump-out facility
 - h. Training for operators
 - i. Strict adherence to all Federal, State and Local laws and regulations
 - j. Controlled parking lot runoff
 - k. Possible engine restrictions
2. Enhanced environment
 - a. Design an operation to enhance fish habitat
3. Educate Boaters
 - a. Do not throw trash overboard-bring back to marina
 - b. Careful cleaning and oil absorption
 - c. Spill prevention
 - d. Noise prevention and reduction
 - e. Use pump-out facilities

APPENDIX D

Cultural Resources Documentation And Coordination



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

April 1, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. Everett Waller
Cultural Resource Management
Osage Nation of Oklahoma
627 Grandview Ave.
Pawhuska, OK 74056

Dear Mr. Waller:

In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Osage Nation in an area near Skiatook Lake in Osage County, Oklahoma.

The U.S. Army Corps of Engineers, Tulsa District, has received an application from the Skiatook Economic Development Authority for a lease and proposed development of approximately 550 acres in portions of Sections 2, 3, and 4, T21N R11E and Sections 25, 26, 27, 35, and 36, T22N R11E in Osage County, Oklahoma (see enclosed maps). Activities that may occur within the proposed lease area include construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail. The proposed lease area is located on lands administered by the U.S. Army Corps of Engineers at Skiatook Lake.

A cultural resources survey of the proposed lease area will be performed in the near future by Dr. Donald Henry of the University of Tulsa, and the results of this survey will be coordinated with your office. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Osage Nation is willing to share on any traditional religious or culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Encls



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

April 1, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Ms. Carrie Wilson
Quapaw Tribe of Oklahoma
P.O. Box 765
Quapaw, OK 74363

Dear Ms. Wilson:

In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Quapaw Tribe in an area near Skiatook Lake in Osage County, Oklahoma.

The U.S. Army Corps of Engineers, Tulsa District, has received an application from the Skiatook Economic Development Authority for a lease and proposed development of approximately 550 acres in portions of Sections 2, 3, and 4, T21N R11E and Sections 25, 26, 27, 35, and 36, T22N R11E in Osage County, Oklahoma (see enclosed maps). Activities that may occur within the proposed lease area include construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail. The proposed lease area is located on lands administered by the U.S. Army Corps of Engineers at Skiatook Lake.

A cultural resources survey of the proposed lease area will be performed in the near future by Dr. Donald Henry of the University of Tulsa, and the results of this survey will be coordinated with your office. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Quapaw Tribe is willing to share on any traditional religious or culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Encls



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

April 1, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. Gary McAdams, President
Wichita and Affiliated Tribes of Oklahoma
P.O. Box 729
Anadarko, OK 73005

Dear Mr. McAdams:

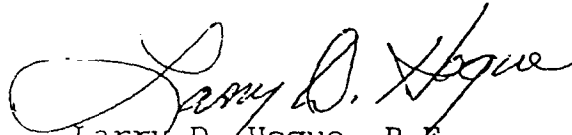
In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Wichita and Affiliated Tribes in an area near Skiatook Lake in Osage County, Oklahoma.

The U.S. Army Corps of Engineers, Tulsa District, has received an application from the Skiatook Economic Development Authority for a lease and proposed development of approximately 550 acres in portions of Sections 2, 3, and 4, T21N R11E and Sections 25, 26, 27, 35, and 36, T22N R11E in Osage County, Oklahoma (see enclosed maps). Activities that may occur within the proposed lease area include construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail. The proposed lease area is located on lands administered by the U.S. Army Corps of Engineers at Skiatook Lake.

A cultural resources survey of the proposed lease area will be performed in the near future by Dr. Donald Henry of the University of Tulsa, and the results of this survey will be coordinated with your office. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Wichita and Affiliated Tribes are willing to share on any traditional religious or culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

A handwritten signature in cursive script, reading "Larry D. Hogue". The signature is written in dark ink and is positioned above the printed name and title.

Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Encls



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

April 1, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Comanche Tribal Business Committee
HC 32 Box 1720
Lawton, OK 73502

Dear Sirs:

In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Comanche Tribe in an area near Skiatook Lake in Osage County, Oklahoma.

The U.S. Army Corps of Engineers, Tulsa District, has received an application from the Skiatook Economic Development Authority for a lease and proposed development of approximately 550 acres in portions of Sections 2, 3, and 4, T21N R11E and Sections 25, 26, 27, 35, and 36, T22N R11E in Osage County, Oklahoma (see enclosed maps). Activities that may occur within the proposed lease area include construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail. The proposed lease area is located on lands administered by the U.S. Army Corps of Engineers at Skiatook Lake.

A cultural resources survey of the proposed lease area will be performed in the near future by Dr. Donald Henry of the University of Tulsa, and the results of this survey will be coordinated with your office. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Comanche Tribe is willing to share on any traditional religious or culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Encls



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

April 1, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. Sherman Chaddlestone
Cultural Resource Management
Kiowa Indian Tribe of Oklahoma
P.O. Box 369
Carnegie, OK 73015

Dear Mr. Chaddlestone:

In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Kiowa Tribe in an area near Skiatook Lake in Osage County, Oklahoma.

The U.S. Army Corps of Engineers, Tulsa District, has received an application from the Skiatook Economic Development Authority for a lease and proposed development of approximately 550 acres in portions of Sections 2, 3, and 4, T21N R11E and Sections 25, 26, 27, 35, and 36, T22N R11E in Osage County, Oklahoma (see enclosed maps). Activities that may occur within the proposed lease area include construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail. The proposed lease area is located on lands administered by the U.S. Army Corps of Engineers at Skiatook Lake.

A cultural resources survey of the proposed lease area will be performed in the near future by Dr. Donald Henry of the University of Tulsa, and the results of this survey will be coordinated with your office. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Kiowa Tribe is willing to share on any traditional religious or culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

-2-

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Encls



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

June 24, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Dr. Bob Blackburn
State Historic Preservation Officer
Oklahoma Historical Society
2704 Villa Prom, Shepherd Mall
Oklahoma City, OK 73107

Dear Dr. Blackburn:

The purpose of this letter is to initiate consultation pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, concerning the lease and proposed development of approximately 550 acres in Osage County, Oklahoma.

As described in the enclosed report by Dr. Donald Henry of the University of Tulsa, the U.S. Army Corps of Engineers has received an application from the Skiatook Economic Development Authority (SEDA) for a lease and proposed development of approximately 550 acres in portions of Sections 2, 3, and 4, T21N R11E and Sections 25, 26, 27, 35, and 36, T22N R11E in Osage County, Oklahoma. Activities that may occur within the proposed lease area include construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail. The proposed project is located on lands administered by the U.S. Army Corps of Engineers at Skiatook Lake.

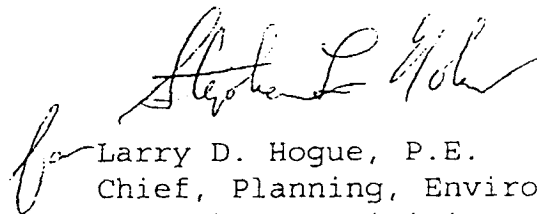
A cultural resources survey of the proposed lease area was undertaken by Dr. Donald Henry in May 2002 (see enclosed report). No archeological sites were recorded during this survey. One traditional cultural property, called Tepee Rock or Healing Rock, was identified near the current Corps of Engineers office and within the area proposed for construction of the golf course. According to the information provided by SEDA, this traditional cultural property will not be physically disturbed by the construction of the golf course and will remain

accessible for visitation once the golf course is constructed. Consultation with the Quapaw, Osage, Kiowa, Comanche, and Wichita and Affiliated Tribes have not yet revealed any concerns regarding the lease or the proposed development of the lease area.

Because no archeological sites were located within the proposed project area and consultation with potentially affected Native American tribes has not revealed any concerns about the proposed lease and development, we feel that the lease and proposed development of the project area to SEDA will have "no adverse effect" on cultural resources in the proposed project area. We request your comment on our opinion of effect regarding this project.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry D. Hogue".

Larry D. Hogue, P.E.
Chief, Planning, Environmental and
Regulatory Division

Enclosure



DEPARTMENT OF ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

June 24, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Comanche Tribal Business Committee
HC 32 Box 1720
Lawton, OK 73502

Dear Sirs:

In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Comanche Tribe in an area near Skiatook Lake in Osage County, Oklahoma.


The U.S. Army Corps of Engineers, Tulsa District, has received an application from the Skiatook Economic Development Authority (SEDA) for a lease and proposed development of approximately 550 acres in portions of Sections 2, 3, and 4, T21N R11E and Sections 25, 26, 27, 35, and 36, T22N R11E in Osage County, Oklahoma. Activities that may occur within the proposed lease area include construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail. The proposed lease area is located on lands administered by the U.S. Army Corps of Engineers at Skiatook Lake.

A cultural resources survey of the proposed lease area was performed by Dr. Donald Henry of the University of Tulsa in May 2002 (see enclosed report). No archeological sites were recorded during this survey. One traditional cultural property, called Tepee Rock or Healing Rock, was identified near the current Corps of Engineers office and within the area proposed for construction of the golf course. According to the information provided to us by SEDA, this traditional cultural property will not be physically disturbed by the construction of the golf course and will remain accessible for visitation once the golf course is constructed. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Comanche Tribe is willing to share on any traditional religious

or culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,


for Larry D. Hogue, P.E.
Chief, Planning, Environmental,
and Regulatory Division

Enclosure



DEPARTMENT OF ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

June 24, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. Sherman Chaddlestone
Cultural Resource Management
Kiowa Indian Tribe of Oklahoma
P.O. Box 369
Carnegie, OK 73015

Dear Mr. Chaddlestone:

In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Kiowa Tribe in an area near Skiatook Lake in Osage County, Oklahoma.

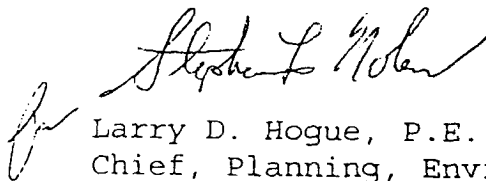
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A cultural resources survey of the proposed lease area was performed by Dr. Donald Henry of the University of Tulsa in May 2002 (see enclosed report). No archeological sites were recorded during this survey. One traditional cultural property, called Tepee Rock or Healing Rock, was identified near the current Corps of Engineers office and within the area proposed for construction of the golf course. According to the information provided to us by SEDA, this traditional cultural property will not be physically disturbed by the construction of the golf course and will remain accessible for visitation once the golf course is constructed. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Kiowa Tribe is willing to share on any traditional religious or

culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry D. Hogue".

Larry D. Hogue, P.E.
Chief, Planning, Environmental,
And Regulatory Division

Enclosure



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

June 24, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Dr. Robert Brooks
State Archeologist
Oklahoma Archeological Survey
111 East Chesapeake
Norman, OK 73019-0575

Dear Dr. Brooks:

The purpose of this letter is to initiate consultation pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, concerning the lease and proposed development of approximately 550 acres in Osage County, Oklahoma.

As described in the enclosed report by Dr. Donald Henry of the University of Tulsa, the U.S. Army Corps of Engineers has received an application from the Skiatook Economic Development Authority (SEDA) for a lease and proposed development of approximately 550 acres in portions of Sections 2, 3, and 4, T21N R11E and Sections 25, 26, 27, 35, and 36, T22N R11E in Osage County, Oklahoma. Activities that may occur within the proposed lease area include construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail. The proposed project is located on lands administered by the U.S. Army Corps of Engineers at Skiatook Lake.

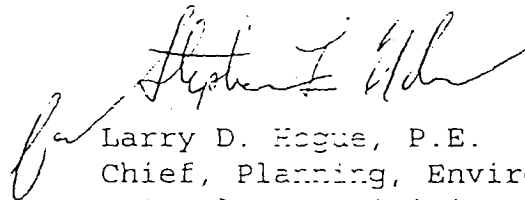
A cultural resources survey of the proposed lease area was undertaken by Dr. Donald Henry in May 2002 (see enclosed report). No archeological sites were recorded during this survey. One traditional cultural property, called Tepee Rock or Healing Rock, was identified near the current Corps of Engineers office and within the area proposed for construction of the golf course. According to the information provided by SEDA, this traditional cultural property will not be physically disturbed by the construction of the golf course and will remain

accessible for visitation once the golf course is constructed. Consultation with the Quapaw, Osage, Kiowa, Comanche, and Wichita and Affiliated Tribes have not yet revealed any concerns regarding the lease or the proposed development of the lease area.

Because no archeological sites were located within the proposed project area and consultation with potentially affected Native American tribes has not revealed any concerns about the proposed lease and development, we feel that the lease and proposed development of the project area to SEDA will have "no adverse effect" on cultural resources in the proposed project area. We request your comment on our opinion of effect regarding this project.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogels, Archeologist, at 918-669-4934.

Sincerely,

A handwritten signature in dark ink, appearing to read "Larry D. Hogue". The signature is fluid and cursive, with a large initial "L" and "H".

Larry D. Hogue, P.E.
Chief, Planning, Environmental and
Regulatory Division

Enclosure



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

June 24, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. Anthony Whitehorn
Cultural Resource Management
Osage Nation of Oklahoma
627 Grandview Avenue
Pawhuska, OK 74056

Dear Mr. Whitehorn:

In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Osage Nation in an area near Skiatook Lake in Osage County, Oklahoma.

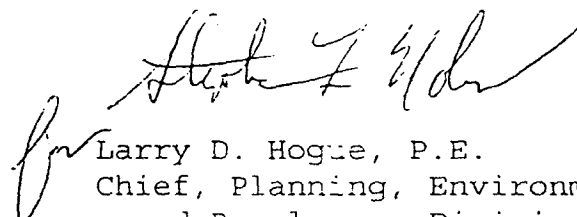
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A cultural resources survey of the proposed lease area was performed by Dr. Donald Henry of the University of Tulsa in May 2002 (see enclosed report). No archeological sites were recorded during this survey. One traditional cultural property, called Tepee Rock or Healing Rock, was identified near the current Corps of Engineers office and within the area proposed for construction of the golf course. According to the information provided to us by SEDA, this traditional cultural property will not be physically disturbed by the construction of

the golf course, and will remain accessible for visitation once the golf course is constructed. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Osage Nation is willing to share on any traditional religious or culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,


for Larry D. Hogue, P.E.
Chief, Planning, Environmental,
and Regulatory Division

Enclosure



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

June 24, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Ms. Carrie Wilson
Quapaw Tribe of Oklahoma
P.O. Box 765
Quapaw, OK 74363

Dear Ms. Wilson:

In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Quapaw Tribe in an area near Skiatook Lake in Osage County, Oklahoma.

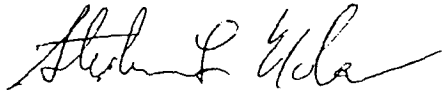
The U.S. Army Corps of Engineers, Tulsa District, has received an application from the Skiatook Economic Development Authority (SEDA) for a lease and proposed development of approximately 550 acres in portions of Sections 2, 3, and 4, T21N R11E and Sections 25, 26, 27, 35, and 36, T22N R11E in Osage County, Oklahoma. Activities that may occur within the proposed lease area include construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail. The proposed lease area is located on lands administered by the U.S. Army Corps of Engineers at Skiatook Lake.


A cultural resources survey of the proposed lease area was performed by Dr. Donald Henry of the University of Tulsa in May 2002 (see enclosed report). No archeological sites were recorded during this survey. One traditional cultural property, called Tepee Rock or Healing Rock, was identified near the current Corps of Engineers office and within the area proposed for construction of the golf course. According to the information provided to us by SEDA, this traditional cultural property will not be physically disturbed by the construction of the golf course and will remain accessible for visitation once the golf course is constructed. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Quapaw Tribe is willing to share on any traditional religious or

culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry D. Hogue".

 Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

June 24, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. Gary McAdams, President
Wichita and Affiliated Tribes of Oklahoma
P.O. Box 729
Anadarko, OK 73005

Dear Mr. McAdams:

In accordance with 36 CFR 800.4, Protection of Historic Properties, the purpose of this letter is to request your assistance in identifying cultural properties that may be of traditional religious or cultural significance to the Wichita and Affiliated Tribes in an area near Skiatook Lake in Osage County, Oklahoma.

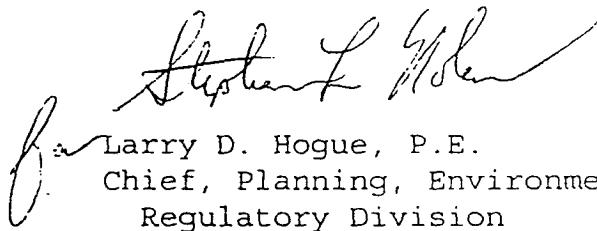
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the golf course is constructed. In order to assist us in the assessment of the potential impacts of the proposed lease on cultural resources, we are requesting information that the Wichita and Affiliated Tribes are willing to share on any traditional religious or culturally significant properties located within the proposed project area so that we may adequately assess the effects of the proposed project on cultural resources.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,



Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure

**CULTURAL RESOURCE SURVEY OF THE CROSS TIMBERS PROJECT,
SKIATOOK LAKE AREA**

OSAGE COUNTY, OKLAHOMA

**Conducted for :
Mr. Ron Howell, Statesource L.L.C.,
320 South Boston, Suite 1030
Tulsa , Oklahoma 74103
(918) 592 8314**

**By:
Donald O. Henry, PhD, Consulting Archaeologist
9812 North Newbury, Owasso, Oklahoma 74055
(918) 272 7073, (918) 631 2889**

12 May 2002

(Revised 11 June 2002)

Management Summary

An archaeological and cultural resource survey of ca. 550 acres (194 acres intensively surveyed) and a 10-20m wide swath along 1.9 miles (3.2km) of shoreline was conducted at the request of Mr. Ron Howell, Statesource L.L.C., 320 South Boston, Suite 1030, Tulsa, Oklahoma 74103. The surveyed areas rest on U.S. Army Corps of Engineers property and have been proposed for development.

The investigation was undertaken on-foot over a five day period (7-11 May 2002) by Donald O. Henry, PhD and Nancy A. Henry, MLS. The cultural resources recorded in the survey are limited to the natural sandstone monolith (the *Healing Rock*) that is thought to hold cultural and religious significance for local Native American groups (see Appendix A). The monolith was moved from its original location in 1986 and relocated near the Skiatook Lake Project Office. It is in a protected area and will not be impacted by the proposed development.

The absence of cultural resources in the surveyed areas is thought to stem from a combination of factors including a steep, heavily dissected topography, erosional processes, and lack of nearby natural surface water. Most of the areas surveyed would have been unsuitable for prehistoric or historic occupations. Moreover, these settings are largely exposed to erosional and colluvial processes that would have acted to remove and disperse any evidence of ephemeral, specialized encampments (e.g., hunting or collecting stations) that may have been established.

Previous surveys of the area have shown sites to be situated along and within the alluvial terraces of Hominy Creek and its side-streams and within rockshelter/cave deposits. The terraces are presently some 50-70 feet below lake level in the lower reaches of the old Hominy Creek channel. The absence of rockshelters in the surveyed areas further reduces the chances for the presence of prehistoric sites.

Given that, with exception to the *Healing Rock*, cultural resources are not on record within the areas proposed for development and none was observed in the course of the survey, it is recommended that clearance be given for development.

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Figure 3b: Shoreline erosional zone in Parcel E.

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Appendix A

NATURE AND DESCRIPTION OF PROJECT

An archaeological and cultural resource survey of ca. 550 acres (194 acres intensively surveyed) and a 10-20m wide swath along 1.9 miles (3.2km) of shoreline was conducted at the request of Mr. Ron Howell, Statesource L.L.C., 320 South Boston, Suite 1030, Tulsa, Oklahoma 74103. The surveyed areas rest on U.S. Army Corps of Engineers property and have been proposed for development.

The survey was conducted in order to inventory and evaluate archaeological, historic, and cultural resources found in the study areas. The investigation was undertaken over a five day period (7-11 May 2002) by Donald O. Henry, PhD and Nancy A. Henry, MLS.

PREFIELD INVESTIGATION

No archaeological or historic sites were on record within the permit area with the Oklahoma Archeological Survey or the Oklahoma Historical Society. Preston Hunter, Project Manager, Corps of Engineers, Skiatook Lake also indicated that he was unaware of any archaeological or historic sites being in the study areas other than a sandstone monolithic, the *Healing Rock*, which has been moved from its original setting to its present location in the Skiatook Point Public Use Area.

REGIONAL CULTURAL HISTORY

The study area rests within the extreme southeastern corner of Region #2 (Mixed Grass-Tall Grass Prairie) as defined in the state plan (Wyckoff and Brooks 1983:34-40). Although the region encompasses an environmental boundary separating the woodlands of the western Ozarks from grassland, its cultural historic bias appears to have been a western orientation throughout most of prehistory. Excellent regional syntheses are provided in Wyckoff and Brooks (1983), Bell (1984), Hofman and Brooks (1989), Sabo *et al.* (1990), and Winchell (1998).

Prehistory

Although PaleoIndian and Early-Middle Archaic Period materials have been recovered within the region as isolated or surface finds out of primary context, buried occupations dating to these early periods have yet to be found (Wyckoff and Brooks 1983:38, Wyckoff and Rippy 1998, Neal and Drass 1998). The Late Archaic Period is only slightly better understood by evidence acquired through excavation of thin, generally sparse occupations of buried open sites (Reid and Artz 1984 191-192) and a few thicker, richer rockshelter deposits (Haury 1984, Henry 1984).

By far the greatest prehistoric representation in the region belongs to the Plains Woodland and Plains Village periods, falling within the last 2,000 years. Although a few knapping stations and quarries belonging to these periods have been identified in upland settings, these are confined to the western portion of the region where flint outcrops occur. Similarly, the only true village sites occur in this western portion along the Arkansas River. Further to the east, near the study area, Plains Woodland and Plains Village period occupations occur principally as small to medium sized open sites situated on alluvial terraces and as small rockshelter/cave sites (Henry 1998, Drass 1985, Reid and Artz 1984).

A climatic change appears to have occurred during the interval with the relative moist setting of the Plains Woodland being replaced by drier, modern conditions after ca. 1,100 bp near the beginning of the Plains Village period. Despite certain technological changes in weaponry (i.e., gradual replacement of atlatl cast spear by bow and arrow), hafting style (corner to side-notched arrow heads), and ceramic fabrication (sand/bone temper to shell temper), the overall settlement pattern and subsistence strategy remained little changed between the local Woodland and Plains Village periods (Henry 1998). Although substantial macrobotanic evidence has been recovered from both open site and sheltered contexts, these data indicate a foraging rather than horticultural economy. Site distributions are remarkably uniform with open sites situated on 1st and 2nd terraces (Artz 1984, Reid and Artz 1984, Henry 1984, Drass 1985) and typically not beyond 500m from permanent water (Henry et al 1980). The great majority of rockshelter/cave settings have south-west exposures. In combination, subsistence and settlement data trace an annual cycle of upstream-downstream migrations. These would have taken groups from fall-winter occupations of protected sites in the Cross-Timbers upstream to grassland settings in the late spring-early summer. With the downstream retreat of headwater settings during the heat of the summer, groups would have again returned to the better watered Cross Timbers. Beyond site settings another interesting feature of the Woodland-Plains Village sheltered sites is the common co-occurrence of pictographs and petroglyphs (Neel and Sampson 1986).

Proto - History and History

General synthesis of the region's proto-historic and early historic periods are provided in Good (1979), Dickerson *et al.* (1991), Odell(1998), Bailey(1998), and O'Brien (1998). A broader survey is provided in Gibson (1980). European influence in the region began in the late 17th and early 18th centuries led by the French fur trade. Local archaeological evidence of this proto-historic period comes from the Lasley Vore and Hampton sites, south of Tulsa (Odell 1998).

The historic period largely begins with the establishment of the Indian Territory (The Indian Removal Bill) in 1830, preceded by the acquisition of land by treaty from the Osage and Quapaw for relocation of the five eastern tribes. The on-set of the Civil War triggered

hostilities between Union Loyalists, led by the Creek Opothleyahola, and Confederate forces. Locally, the battle of Custenahlah, located just east of the study area on Quapaw Creek, saw the end of the Loyalists in their decisive defeat by Confederate forces under the command of Colonel James McIntosh in December of 1861 (O'Brian 1998:142). The Indian Allotment period (Curtis Bill 1889) coupled with the growth of the cattle industry and expansion of railroads dominated the end of the 19th century with an influx of Euro-Americans into Indian Territory. The culmination of the integration of Indian Territory into the rest of the nation was driven by the oil boom of the early 1900's and statehood in 1907.

PREVIOUS INVESTIGATIONS

Prompted by the construction of Skiatook Lake, several cultural resource investigations were conducted in the area from 1969 to 1983. These included surveys undertaken by Rohrbaugh and Wyckoff (1969), Perino (1972), and Henry (1978) that resulted in the discovery of 41 sites. Eighteen of these (see Table 1.1 in Haury 1984) were subsequently test excavated and/or mitigated through excavation (Gettys *et al.* 1976, Henry 1978a, 1978b, Henry 1980, Henry 1982, Haury 1984).

The site distributions, coupled with geomorphic investigations along Hominy Creek and other drainages of the Verdigris Basin, revealed a distinct pattern in terms of site setting, landform, and alluvial context (Henry 1980:56, Artz 1984:5-23, Henry 1998:71-73). In the lower section of Hominy Creek, which encompasses the study areas of this report, late Prehistoric (Woodland/Plains Village) sites were exclusively found within the fill of second terraces composed of silty clay loam classified in the Wynona series (Artz 1984:8,9; (Bourlier *et al.* 1979). Although the the litho- and pedo-stratigraphic succession of the terrace formation offers information of climate and geomorphic forces, what is important in the present study is to simply observe that the T-2 terrace tread rests at about 650' elevation or some 70' below lake level. Even deflated Late Archaic occupations (34OS92, 34OS105) that are out of primary context on a high, cut terrace or bench, rest at ca. 670' or some 50' below the lake level.

Sites that were identified in the surveys of Hominy Creek Valley that might be present above the modern lake level are rockshelters and caves, but even these are likely to be inundated because of cultural and natural constraints. The cultural factor relates to the threshold distance of ca. 500m from permanent water (former stream channels) within which occupations were established. The natural factor relates to formation of caves and rockshelters in the area at the contact of the Vamoosa and Talant sandstone formations due to differential weathering. This contact is known to occur below lake level at 34OS85 and 34OS98 and is likely to be inundated elsewhere, as well.

LEGAL & MAP LOCATIONS

Legal:

Skiatook Point Area, Parcels A-D - Portions of Sections 26 & 27, T22N/R11E, Osage County, Oklahoma.

Hiking Trail, Parcel E - Portions of Sections 26 & 35, T22N/R11E, Osage County, Oklahoma.

Marina, Parcel F - Portions of Sections 2 & 3, T21N/R11E and Sections 34 & 35, T22N/R11E Osage County, Oklahoma.

Map:

See Figure 1.

METHODOLOGY

In general, the study areas rest on the steep slopes that formed the upland ridges and flanks of Hominy and Tall Chief creeks prior to the construction of Skiatook Lake. The slopes are heavily eroded as evidenced by extensive bedrock outcrops, thin colluvial sediments and a mantle of sandstone scree. Surface sediments are composed of thin, stony, sandy and clayey loams formed on sandstone and shale, classified in the Niotaze-Darnell Soil Association (Bourlier *et al.* 1979).

Given the paucity of level ground that would have attracted prehistoric groups to establish encampments in these areas and the geomorphic conditions that have acted against site preservation, the study areas are unlikely to contain prehistoric evidence, especially in primary context. There are, however, limited settings that display nearly level to gently sloping terrain. Additionally, shoreline erosion provides extensive subsurface exposures. From a relative perspective, these settings were thought to have a much higher probability of holding archaeological evidence than the heavily eroded, steep slopes of the remainder of the study areas. In light of this, these more level settings (designated as parcels A-D, G & H) and the shoreline erosional zone (designated as parcels E and F) were intensively surveyed on-foot (see Figure 1).

Areas designated for intensive survey were walked along transects spaced at 20-30m wide intervals. Shovel probes were excavated if surface visibility was obscured beyond distances of 30m. The shoreline parcels E and F were walked one way along a single meandering swath. The remainder of the study area was surveyed with widely spaced (90-120m) transects as well as specific spot checks of areas suspected of holding rockshelters (e.g., western margin of Skiatook Point Area).

ENVIRONMENTAL DESCRIPTION AND SURVEY METHODS

Parcel A occupies the crest of a N-S oriented ridge with a paved road roughly dividing the parcel along its long axis. The vegetation consists of a mosaic of scrub oak

and grassland. Road cuts and drainage ditches along the road provide extensive areas of subsurface exposure (Figure 2a). A recently excavated (and filled) trench parallels the road to the east, furnishing additional surface-subsurface exposures (Figure 2b). Irregular, but extensive patches of bare ground, reveal very thin surface sediments consisting of 0-5cm of grayish brown sandy clay overlying 0-5cm of red sandy clay which in turn rests on sandstone bedrock (Figure 3a). This is classified as Niotaze-Darnell, 3-15% slope soil series ((Bourlier *et al.* 1979). Very large clasts of sandstone and/or bedrock are regularly exposed and bedrock outcrops increase in density downslope.

Survey transects principally followed the contours of slopes at 30m intervals, although when observed, patches of bare ground and erosional features were examined regardless of location relative to the transects. Shovel probes were rarely needed, but when excavated they typically encountered rock within 0-5cm below surface. Surface visibility varied from good (50-75%) to excellent (75-100%).

Parcel B includes a narrower, western extension of the ridge holding Parcel A. Vegetation is composed of post and blackjack oak interspersed with short grasses and forbes. Road cuts, roadside drainage ditches, and erosional zones furnish extensive, wide-spread exposures of subsurface sediments. These consist of 0-5cm of grayish brown sandy clay overlying 0-5cm of red sandy clay which in turn rests on sandstone bedrock. This is classified as Niotaze-Darnell 3-15% slope soil series ((Bourlier *et al.* 1979). Very large clasts of sandstone and/or bedrock are regularly exposed and bedrock outcrops increase in density downslope.

Survey transects followed the contours of slopes at 30m intervals, although patches of bare ground and erosional features were examined regardless of location relative to the transects. Shovel probes were rarely needed, but when excavated they typically encountered rock within 0-5cm below surface. Surface visibility varied from good (50-75%) to excellent (75-100%).

Parcel C occupies a small hillock forming a toe of the dominant, central ridge in the Skiatook Point area. Vegetation is dominated by scrub oak and grassy areas. Much of the area is maintained. Some terrain smoothing of the area is associated with paved access roads, a turnaround, and a parking area.

Survey transects followed the contours of slopes at 30m intervals. Due to exposures of bare ground, shovel probes were rarely needed. Rock was normally encountered within 0-5cm below surface. Surface sediments are classified as Niotaze-Darnell 3-15% slope soil series ((Bourlier *et al.* 1979). Surface visibility varied from good (50-75%) to excellent (75-100%).

Parcel D, located at the foot of the northern flank and on a high terrace and a 2nd terrace of the Hominy Creek floodplain. The western upslope section of the parcel is in

scrub oak woodland, but the T-2 tread is covered in high, dense grass and forbes. East-west transects were walked from the road on the east to the edge of the slope on the west. The surface visibility of the parcel was poor, requiring that it be intensively shovel probed at 30m intervals. Sediments of the western upslope section are of the Niotaze-Darnell 15-25% slopes soil series. The 2nd Terrace consists of a very dark gray silty-fine sandy, clay loam classified in the Wynona series. Along the western edge of the parcel, the Wynona soil interfingers with colluvium from the adjacent slopes. Small (pea-fist sized) sandstone clasts and reddish clay increase from east to west. The dispersed sandstone indicates the area may have been plowed in the past. Also, small fragments of concrete and asphalt suggest that a road or construction depot may have been positioned in the area before being plowed and overgrown with grasses.

Parcel E, representing a proposed hiking trail, follows the shoreline of the lake running roughly parallel to the old Hominy Creek channel. Shoreline erosion has created a nearly level erosional tread (some 2-6m wide) adjacent to a 1-3m high cut bank that is incised into a steep slope (Figures 3b and 3c). The erosional tread is armored by tabular sandstone plates and larger blocks. The cut bank exposures reveal colluvium, composed of red sandy clay interspersed with various sized sandstone clasts, and in some settings bedrock. These sediments are classified as the Niotaze-Darnell, 25-45% slopes soil series. The cut bank exposures show that the shoreline erosion is incising the old valley flank rather than younger alluvium associated with the valley fill and terrace sequence known to hold archaeological sites.

The shoreline was walked (climbed) one way along a meandering 5-10m -wide swath in an effort to observe cut bank exposures when present. Surface visibility was excellent and shovel probes were only rarely needed.

Parcel F, representing the proposed marina area, largely resembles the geomorphic features described for Parcel E except that the cut bank height is more variable and the erosional tread less rock laden in spots. Erosional exposures reveal colluvial sediments representing the valley flank composed of a sandy clay, shale, and sandstone bedrock outcrops. The vegetation covering the steep slopes above the shoreline erosion consists of post and blackjack oak interspersed with grassy areas. The sediments are classified as the Niotaze-Darnell, 25-45% soil series.

A meandering swath (5-10m wide) was walked one way along the eroded shoreline. Wave erosion has created extensive areas of bare ground and excellent surface visibility and shovel probes were rarely dug.

Parcel G consists of a gently sloping bench footing a NE-SW trending ridge in the Tall Chief Cove area. The vegetation is composed of scrub oak woodland and prominent open grassy areas. Surface sediments are thin, consisting of red sandy clay, and display a high density of tabular and platelet sandstone clasts. Bedrock exposures increase with

gradient. The sediments are classified as the Niotaze-Darnell, 25-45% and 5-15% slopes soil series.

Transects were walked parallel to the contours of the slope separated by 30m intervals, looping the western end of the ridge. Thin surface sediments (Niotaze-Darnell, 25-45% and 5-15% slopes) provided extensive areas of bare ground and excellent surface visibility, especially in the wooded areas. High grasses and forbes, however, created poor to moderate surface visibility and required shovel probes in the more open areas. Rock was generally encountered in the probes within 10cm of the surface.

Parcel H, dominated by open grassland, occupies a south-north oriented ridge toe in the SW corner of the Tall Chief Cove area. As in the other areas, surface sediments are thin and accompanied by a high density of sandstone and occasional bedrock outcrops. Patchy erosional areas provide widespread surface exposures. The sediment consists of a grayish brown silty loam with a high density of angular, fist-sized sandstone clasts classified as the Steedman Series.

Transects were walked from east to west following contours around the northern edge of the ridge toe. Surface visibility ranged from moderate to excellent, requiring only occasional shovel probes.

CULTURAL RESOURCES

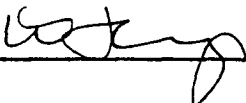
The cultural resources recorded in the survey are limited to the natural sandstone monolith (the *Healing Rock*) that is thought to hold cultural and religious significance for local Native American groups (see Appendix A). The monolith was moved from its original location in 1986 and relocated near the Skiatook Lake project office. It is in a protected area and will not be impacted by the proposed development.

The absence of cultural resources in the surveyed areas stems from all but one of these areas being located in the uplands and on steep slopes generally well removed from dependable sources of water. Such areas would not have been attractive for prehistoric or historic groups to establish camps. Moreover, these settings are largely exposed to erosional and colluvial processes that would have acted to remove and disperse any evidence of ephemeral, specialized encampments (e.g., hunting or collecting stations) that may have been established. Previous surveys of the area have shown sites to be situated along and within the alluvial terraces of Hominy Creek and its side-streams. These terraces are presently some 50-70 feet below lake level in the lower reaches of the old Hominy Creek channel. Here it is important to note, however, that due to the gradient or thalweg of the valley's old floodplain, such terraces rest above lake level upstream as observed along Wildhorse Creek. The absence of rockshelters in the surveyed areas further reduces the chances for the presence of prehistoric sites.

Given the above cultural and geomorphic constraints on site presence, the area most likely to have contained a site is Parcel D. It is situated on the 2nd Terrace of Hominy Creek, but in resting below the dam it is not inundated. Moreover, the structure of the valley at that point would have protected the terrace from subsequent erosion. Why a camp was not established there is hard to say, although it may have been because the channel, with dependable water, was simply too distant (>800m) from the location as it is today.

RECOMMENDATIONS

Given that, with exception to the *Healing Rock*, cultural resources are not on record within the areas proposed for development and none was observed in the course of the survey, I recommend that clearance be given for development.

Donald O. Henry  11 June 2002

BIBLIOGRAPHY

Artz, J. A., and K. C. Reid

- 1984 Geoarchaeological Investigations in Cotton Creek Valley. In *Hunters of the Forest Edge: Culture, Time, and Process in the Little Caney Basin (1980, 1981, and 1982 Field Seasons)*, edited by K.C. Reid and J.A. Artz, pp.97-186. Contributions in Archaeology 14, Laboratory of Archaeology, University of Tulsa. Oklahoma Archaeological Survey Studies in Oklahoma's Past Number 13, Norman.

Bailey, G.

- 1998 The Osage and the Valley of the Middle Arkansas. *Bulletin of the Oklahoma Anthropological Society* 47:119-132.

Bell, R.E. (ed.)

- 1984 *The Prehistory of Oklahoma*. Academic Press, New York.

Bourlier, B.G., J.D. Nichols, W.J. Ringwald, P.J. Workman, and S. Clemmons

- 1979 *Soil Survey of Osage County, Oklahoma*. U.S. Department of Agriculture, Soil Conservation Service, Washington, D.C.

Dickerson, K. E., K.L. Shingleton, Jr., K. Müller, and D.O. Henry

- 1991 *Tulsa/North Triangle: An Archaeological Survey of Northern Tulsa and Western Rogers Counties, Oklahoma*. Contributions in Archaeology No. 18, Department of Anthropology, University of Tulsa, Tulsa, Oklahoma.

Drass, R. R.

- 1985 *Archaeological Resources in the Bird Creek Basin - Rogers, Tulsa, and Osage Counties, Oklahoma*. Oklahoma Archeological Survey, Archeological Resource Survey, Report No. 21, Norman.

Gettys, M., R. Layhe, and S. Bobalik

- 1976 *Birch Creek and Skiatook Reservoir: Preliminary Report upon Archaeological Investigations in 1974*. Oklahoma River Basin Survey, Archaeological Site Report No. 31, Norman.

Gibson, A.M.

- 1980 *Oklahoma - A History of Five Centuries*. University of Oklahoma Press, Norman.

Good, M. E.

- 1979 *Historical Review: Bird Creek Basin From 1800*. Skiatook Historical Society, Skiatook, Oklahoma.

Haury, C. (ed.)

- 1984 *The Prehistory and Paleoenvironment of Hominy Creek valley: 1982-1983 Field Season*. Contributions in Archaeology 15, Laboratory of Archaeology, University of Tulsa, Tulsa, Oklahoma.

Henry, D.O.

- 1977 *The Prehistory and Paleoenvironment of Hominy Creek Valley*. Contributions in Archaeology 2, Laboratory of Archaeology, University of Tulsa, Tulsa, Oklahoma.

- 1978a Big Hawk Shelter in Northeastern Oklahoma: Environmental, Economic and Cultural Changes. *Journal of Field Archaeology* 5 (3):269-287.

- 1978b *The Prehistory and Paleoenvironment of Hominy Creek Valley 1977 Field Season*. Contributions in Archaeology 4, Laboratory of Archaeology, University of Tulsa, Tulsa, Oklahoma.

- 1980 *The Prehistory and Paleoenvironment of Hominy Creek Valley 1978 Field Season*. Contributions in Archaeology 6, Laboratory of Archaeology, University of Tulsa, Oklahoma.

- 1981 *The Prehistory and Paleoenvironment of Hominy Creek Valley 1979 Field Season*. Contributions in Archaeology 11, Laboratory of Archaeology, University of Tulsa, Oklahoma.

- 1984 Archaeological Overview of Investigations in Hominy Creek Valley. In *The Prehistory and Paleoenvironment of Hominy Creek Valley: 1982-1983 Field Season*. C. Haury (ed.), Pp.117-155. Contributions in Archaeology 15, Laboratory of Archaeology, University of Tulsa, Tulsa, Oklahoma

- 1998 The Area in the Vicinity of Tulsa, Oklahoma, During the Late Holocene. *Bulletin of the Oklahoma Anthropological Society* 47:67-81.

Henry, D.O., B. H. Butler, and S.A. Hall

1978 Late Prehistoric Human Ecology of Birch Creek, Northeastern Oklahoma. *Plains Anthropologist* 24(85):207-238.

Neal, W. L., and R. R. Drass

1998 Middle Holocene Archeology in Northeastern Oklahoma. *Bulletin of the Oklahoma Anthropological Society* 47:39-66.

O'Brien, W. M.

1998 Tulsa Area Civil War and Reconstruction (1861-1880). *Bulletin of the Oklahoma Anthropological Society* 47:133-152.

Odell, G. H.

1998 The Protohistoric Period in Eastern Oklahoma: Evidence From the Lasley Vore Site. *Bulletin of the Oklahoma Anthropological Society* 47:83-118.

Perino, G.

1972 *A Historical Cultural Assessment of the Proposed Skiatook Reservoir, Osage County, Oklahoma*. Submitted to the U.S. Army Corps of Engineers, Tulsa District, Oklahoma.

Sabo, G. III, A.M. Early, J.C. Rose, B.A. Burnett, L. Vogele, Jr., and J. P. Harcourt (eds.)

1990 *Human Adaptation in the Ozark and Ouachita Mountains*. Arkansas Archeological Survey Research Series, No. 31, Fayetteville.

Winchell, F.

1998 Prehistory and History of the Tulsa Area Through the Civil War and Reconstruction: A Preliminary View. *Bulletin of the Oklahoma Anthropological Society* 47:1-3.

Wyckoff, D. G. and R. L. Brooks

1983 *Oklahoma Archeology: A 1981 Perspective of the State's Archeological Resources, Their Significance, Their Problems and Some Proposed Solutions*. Archeological Resource Survey Report Number 16, Oklahoma Archeological Survey, The University of Oklahoma, Norman.

Wyckoff, D. G. and C. Rippey

1998 Late Pleistocene-Early Holocene People and Animals in Tulsa County: Some Preliminary Insights. *Bulletin of the Oklahoma Anthropological Society* 47:5-37.

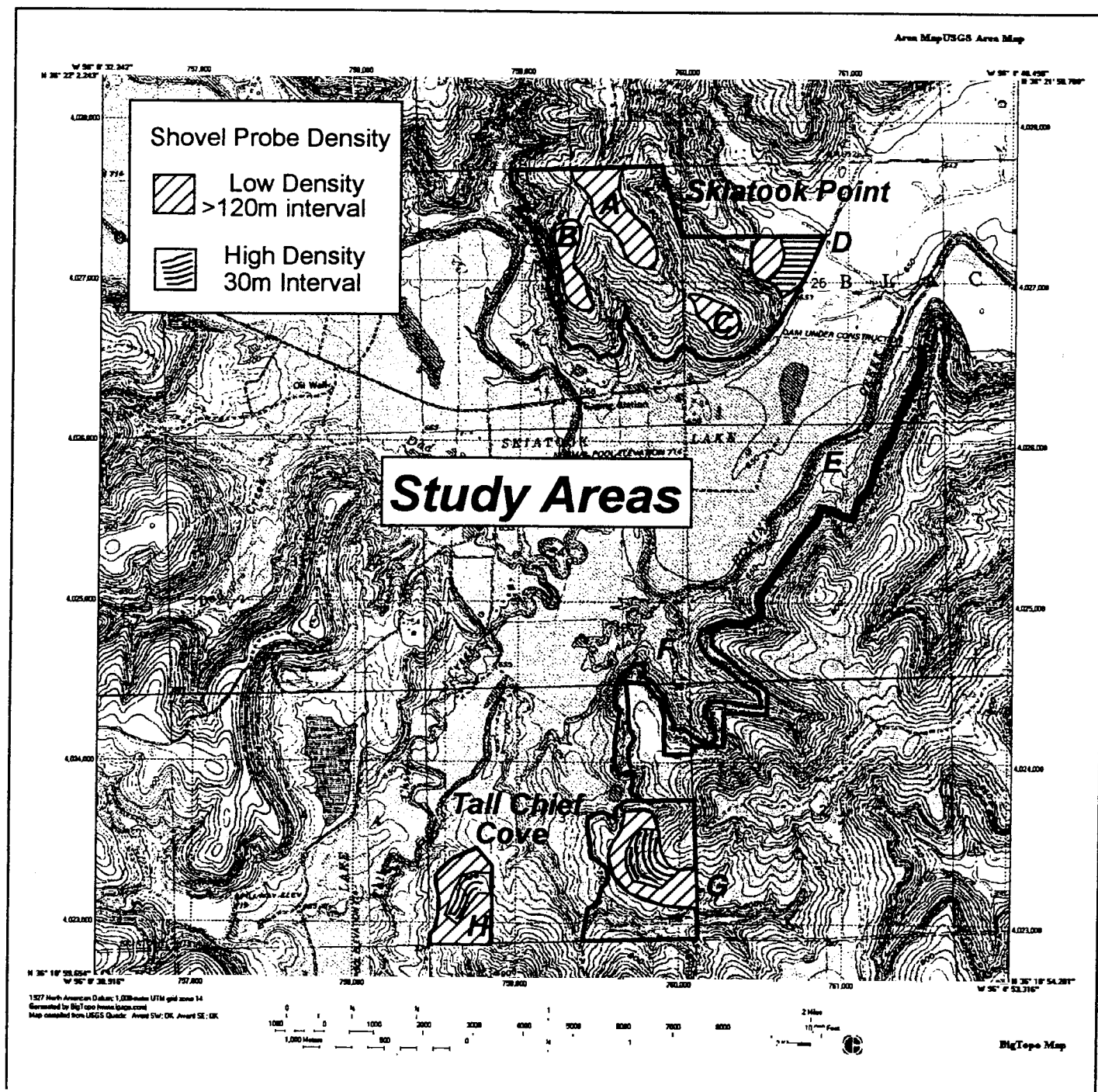
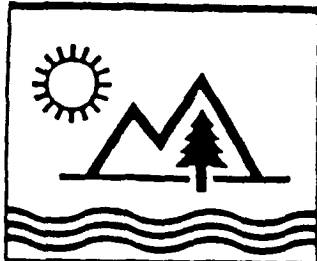


Figure 1:

Map of study areas showing the eight parcels (A-H) that were intensively surveyed (portions of map taken from USGS, 7.5' quads - Avant SW & Avant SE). Note that due to steep slopes and erosion, extensive patches of bare ground obviated the need for close interval shovel probes in many of the investigated areas. High density probes required in those areas obscured by vegetation are shown along the approximate transects of the on-foot survey undertaken in these parcels.

APPENDIX A



From the field

Legendary 'Healing Rock' remains mystical to many

by Greg Bersche
Skiatook Lake Ranger

The history that lies below Skiatook Lake's dark surface can be easily forgotten.

However, through the efforts of those people who once walked through these valleys, the reflections of yesterday need not be lost forever.

One such man is Bill Kugee Supernaw, local resident and Quapaw Indian. That bit of history that he has helped keep alive is the legendary Healing Rock. Supernaw remembers visiting what was then called the Tepee Rock at the age of 14 as he was hunting the Hominy Creek bottoms.

This legendary rock stands 12 feet high, has a 17-foot base, and is 14-16 inches thick. It is triangular in shape with its jagged apex pointing upward to the heavens.

Through the efforts of Supernaw and others, this curious rock escaped the waters of the lake when it was relocated to higher ground in 1986 by the U.S. Army Corps of Engineers, which moved features of historical interest that the lake would cover. Learning of this concern, Supernaw contacted the Corps of Engineers who had an archaeologist study the Healing Rock.

Many local residents today speak of the Native American people of long ago believing in the rock's ability to heal the sick and injured. It is believed today by many that these people brought their ailing to this rock and left them there to be healed.

And, then there was the famed prophet John "Moonhead" Wilson who supposedly laid injured near the rock and was brought back to health by an opossum which cleaned his wounds and brought him food. And as late as the 1940s, a

small group of Indians was seen carrying someone on a stretcher to the Healing Rock.

But, what is really known about the rock and its history? How did it get there, and what historical significance does it truly have?

Supernaw says that the story begins in the period of 1890-1900. His great-grandfather, a Quapaw Indian named Tall Chief, lived approximately one mile from the Healing Rock. It was Tall Chief who brought the first Native American Church to the Osage people in this area.

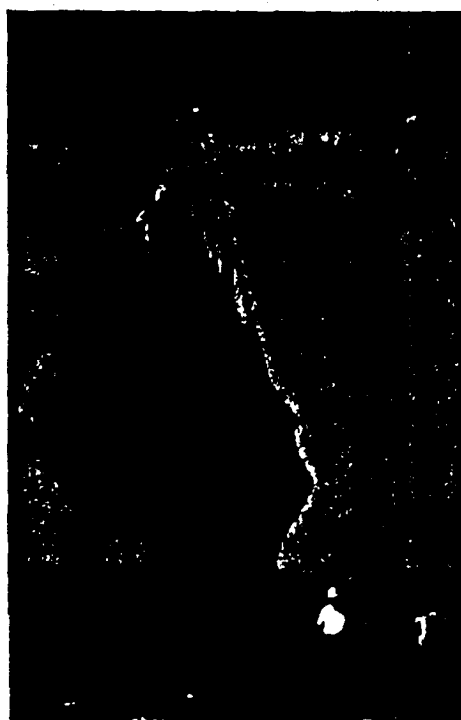
This was at the time when the Quapaws moved to this area from around what is now Miami, Okla. The first Native American Church gatherings were in the area of the Healing Rock. Supernaw states that the rock is significant for its proximity to this early church site and was always recognized as a unique

physical feature. He also states that the rock today serves as a monument to all those families who live in this area.

But what about its healing powers? He states that the archaeologist who studied the rock found no evidence that it was formed or erected by early man. Instead, a natural erosion process left the rock standing erect.

The smaller rocks which surrounded the Healing Rock in circular fashion were also concluded to have been of natural formation. Excavation around the Healing Rock revealed no trace of prehistoric activity associated with the rock. Supernaw says that many people chose to ignore the archaeologists' findings and to continue to believe in the rock's mystical healing powers.

The Healing Rock is located south of the Corps of Engineers project office on Skiatook Lake. The Corps has built an access trail from the office to this unique natural feature.



Healing Rock was lifted from its original site in 1986 and relocated near the project office. Just this winter, a path was built out to the rock to make it more accessible to visitors.



Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

July 5, 2002

Larry D. Hogue, P.E.
Chief, Planning, Environmental and Regulatory Division
U.S. Army Corps of Engineers
Tulsa District
1645 S. 101 East Ave.
Tulsa, OK 74128-4609

Re: Proposed recreational development (e.g., marine, golf course, cabins, conference center, hiking trail), state source L.L.C. at Skiatook Lake. Legal Description: portions of Sections 2-4 T21N R11E and Sections 25-27, 35, 36 T22N R11E, Osage County, Oklahoma.

Dear Mr. Hogue:

A cultural resources report of investigations has been received by this agency on the above referenced project. This agency confirms the recommendations contained in the report. The review was conducted in cooperation with the State Historic Preservation Office, Oklahoma Historical Society.

Please contact this office at (405) 325-7211 if buried archaeological materials such as chipped stone tools, pottery, bone, historic crockery, glass, metal items, or building materials are exposed during construction activities.

In addition to our comment on the cultural resource inventory conducted for this project, the appropriate Native American tribe/groups should be consulted for any concerns they may have pertaining to this report.

Sincerely,

for Robert L. Brooks
State Archaeologist

:md

cc: SHPO
D. Henry
Osage Nation
Wichita & Affiliated Tribes



DEPARTMENT OF ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

January 10, 2003

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Dr. Robert Brooks
State Archeologist
Oklahoma Archeological Survey
111 East Chesapeake
Norman, OK 73019-0575

Dear Dr. Brooks:

The purpose of this letter is to initiate consultation pursuant to Section 106 of the National Historic Preservation Act of 1966 (NHPA) concerning the proposed lease of property in Osage County, Oklahoma.

The Skiatook Economic Development Authority (SEDA) has applied for a lease of approximately 643 acres of land and 46 acres of water in portions of Sections 25, 26, 27, and 35, T22N R11E and Sections 2, 3, and 4, T21N R11E in Osage County, Oklahoma (Figure 1). The proposed project is located on lands administered by the Tulsa District, U.S. Army Corps of Engineers (COE), at Skiatook Lake.

Upon COE approval and issuance of the lease, SEDA plans to sub-lease the property to the StateSource, LLC, management group to allow private development of public recreation facilities on the property. As currently proposed, the CrossTimbers Project would include the development of a golf course, marina and boat service, trails, RV sites, cabins, and a village. The village would consist of a lodge, cabins, a store, and other related facilities (Figures 2 and 3). Significant excavation and changes in existing land use would result from the development, although such disturbances would be minimized somewhat by proposed use of existing terrain and vegetation features where possible.

In order to assess the potential effect of the proposed development on cultural resources, a cultural resources survey of the proposed lease area was undertaken by Dr. Donald Henry of the University of Tulsa in May 2002. One traditional cultural property, called Teepee Rock or Healing Rock, was identified as being present south of the current COE Skiatook Lake office and

within the area proposed for construction of the golf course. No other historic properties were recorded during this survey. The results of this survey were coordinated with your office on June 24, 2002, and in your letter of July 5, 2002 you concurred with our opinion that the proposed lease and subsequent development of the project area would have "no adverse effect" on historic properties in the proposed lease area (see attached report and letters at Appendix A). As part of our consultation under Section 106, copies of this report were also submitted at this time to the Quapaw, Osage, Kiowa, Comanche, and Wichita and Affiliated Tribes for their review, and a request was made to each of these groups for their assistance in identifying cultural properties that may be of traditional religious or cultural significance to them that might be located within the proposed lease area. In a letter dated August 5, 2002, the Osage Nation responded to our request for information by stating that the activities associated with the proposed recreation development of the lease area would have an adverse impact on Healing Rock and potentially other historic properties that may be located within the proposed lease area. The Osage Nation also requested that consultation take place between the Osage, StateSource, SEDA, and the COE regarding the impact of the proposed lease on Healing Rock and other matters (Appendix B).

Healing Rock, 34OS679, is a large upright rock located on a ridge point overlooking Skiatook Lake (see site form in Appendix C). Originally located in Hominy Creek valley, the rock was moved to its present location by the COE at the request of the Quapaw and Osage tribes in order to prevent the rock from being inundated by Skiatook Lake. According to Quapaw informant Bill Kugee Supernaw, Healing Rock is a traditional cultural property of significance to the Quapaw and Osage tribes due to association with some of the first Native American Church gatherings held in Osage County. Other informants indicate that Native Americans had been bringing sick individuals to Healing Rock to be healed for many years. Consultation with the Osage Nation and Quapaw Tribe by the COE in 2002 and 2003 revealed that both tribes still feel Healing Rock is a significant traditional cultural property in spite of the fact that the rock is no longer located in its original setting. Based on information provided by the Osage Nation and Quapaw tribe, we feel that Healing Rock, 34OS679, is eligible for listing on the National Register of Historic Places (NRHP) as a traditional cultural property. We request your comment on our opinion of eligibility regarding this historic property.

Shortly after initiation of formal consultation with the Osage Nation and Quapaw Tribe in October 2002 the COE was made aware of a previously unknown historic property located within

the boundary of the proposed lease area. Site 34OS678 is a small, burned rock mound approximately 10 meters in diameter and 0.5 meters in height located in the front yard of the COE Skiatook Lake office (see site form in Appendix C). Fire-cracked sandstone rock fragments and darkened soil are visible on the surface of the mound. No other artifacts are visible. From aerial photographs and other documentation on file at the COE Skiatook Lake office, the mound appears to have escaped disturbance during the construction of the nearby office compound during the 1980s. Because of the undisturbed nature and likelihood of the mound containing important information on subsistence activities of prehistoric inhabitants in the area, we feel that site 34OS678 is eligible for listing on the NRHP. We request your comment on our opinion of eligibility regarding this historic property.

Due to the presence of site 34OS678 in an upland ridgetop setting, it was decided through consultation with the Osage and Quapaw that additional cultural resource survey efforts were warranted in the area proposed for construction of the CrossTimbers golf course. As a means of enhancing ground visibility during the survey, in November 2002 the COE undertook a prescribed burn of nearly the entire 330 acres that would be used for the proposed golf course. As a result of the prescribed burn, many areas that were formerly covered in dense prairie grasses were available for easy surface inspection (Figure 4).

Surface survey of the proposed golf course area began on November 19, 2002. COE archeologists Louis Vogele and Ken Shingleton spent the entire day walking through the recently burned area, focusing most of their effort on that portion of the property located south of the highway. On November 21, 2002, Anthony Whitehorn of the Osage Nation, Carrie Wilson of the Quapaw Tribe, and Natalie Garrett of the Bureau of Indian Affairs joined Mr. Vogele in surveying the western portion of the area north of the highway. On November 26, 2002, Mr. Vogele and Mr. Shingleton returned to complete the remaining survey work in the northeastern portion of the area. In addition, Mr. Whitehorn, Ms. Wilson, and Ms. Garrett accompanied Mr. Vogele and other COE employees on December 11, 2002 in a boat shoreline survey of the eastern shore of Skiatook Lake and a visit to site 34OS601, a rockshelter with pictographs located outside of the proposed lease area.

As a result of the surveys undertaken in November and December 2002 of the proposed CrossTimbers golf course area, two additional historic properties were discovered (Appendix D). As documented in the attached report and site forms prepared by Dr.

Donald Henry of the University of Tulsa, sites 34OS676 and 34OS677 are historic period archeological sites that are 20th century in origin. Site 34OS676 is composed of the remains of a 1930 oil well drilling location, while site 34OS677 is the remains of the John H. Rogers farmstead occupied from the 1930s - 1970s. We agree with the recommendations of Dr. Henry that sites 34OS676 and 34OS677 are not eligible for listing on the NRHP, and we request your comment on our opinion of eligibility regarding these two sites.

As we have previously indicated, the COE has been formally consulting with the Osage Nation and the Quapaw Tribe regarding the proposed CrossTimbers development since October 2002. During this time the Osage and Quapaw have expressed concerns that golfers utilizing the CrossTimbers golf course might display behavior at Healing Rock that the tribes consider inappropriate in the context of this traditional cultural property. With this concern in mind, options to minimize the likelihood of such activities taking place at Healing Rock have been explored by the COE, SEDA, and the Osage and Quapaw tribes. Ultimately, these discussions lead to two government-to-government meetings between the parties on-site at Healing Rock. The last of these meetings, held January 3, 2003, resulted in a verbal agreement between the COE, SEDA, and the Osage and Quapaw tribes that Healing Rock and the access trail to Healing Rock leading from the COE Skiatook Lake office would be excluded from the proposed lease area (Figure 5). In order to allow public access to the site while minimize the likelihood of inappropriate golfer behavior at Healing Rock, the following provisions were agreed to by all parties: 1) An area 100 feet on all sides of Healing Rock and approximately 50 feet on either side of the Healing Rock access trail will be excluded from the proposed SEDA lease area and removed from development as part of the CrossTimbers golf course; 2) The trail and excluded area around Healing Rock will be maintained as part of the maintenance agreement for the COE Skiatook Lake office compound; and 3) provisions will be established in the SEDA lease agreement and any sub-lease agreement to address future inadvertent discoveries of cultural resources within the entire area proposed for lease.

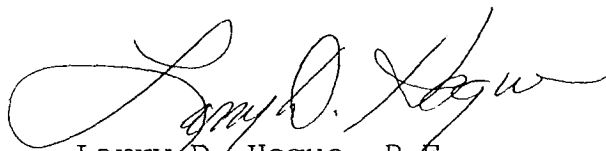
To summarize, cultural resources surveys conducted in 2002 within the proposed SEDA lease area have identified a range of cultural resources present. Sites 34OS676 and 34OS677 are both historic 20th century archeological sites. We feel that both of these sites are ineligible for listing on the NRHP. Site 34OS678 appears to be a relatively undisturbed upland burned rock mound. We feel that site 34OS678 is eligible for listing on the NRHP. Site 34OS678 is located in the mowed front yard of

the COE Skiatook Lake office, and as such will be excluded from the proposed SEDA lease area along with the remainder of the office compound. Site 34OS679 is Healing Rock, a large upright rock associated with early Native American Church activities in the area and relocated to its current position by the COE in 1986. Concerns have been expressed by the Osage Nation and Quapaw Tribe regarding potential inappropriate behavior at Healing Rock by CrossTimbers golfers. Consultation between the COE, SEDA, and the Osage and Quapaw have led to an agreement to remove Healing Rock and the access trail from the proposed lease, to require the access trail and area around Healing Rock to be maintained by the sub-leasee, and that provisions will be inserted in the SEDA lease agreement and any sub-lease agreement to address future inadvertent discoveries of cultural resources in the area proposed for lease. All parties have agreed that these actions concerning Healing Rock and the access trail will minimize the likelihood of inappropriate behavior at Healing Rock while continuing to allow public access to the site.

Because the COE, SEDA, and the Osage Nation and Quapaw Tribe have agreed to exclude sites 34OS678 and 34OS679 from the proposed SEDA lease area and future development associated with the lease, we feel that the proposed lease of the identified property to SEDA will have "no adverse effect" on historic properties. We request your comment on our opinion of effect regarding this project.

Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry D. Hogue". The signature is fluid and cursive, with a large initial "L" and "H".

Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures



DEPARTMENT OF ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

January 10, 2003

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Dr. Bob Blackburn
State Historic Preservation Officer
Oklahoma Historical Society
2704 Villa Prom, Shepherd Mall
Oklahoma City, OK 73107

Dear Dr. Blackburn:

The purpose of this letter is to initiate consultation pursuant to Section 106 of the National Historic Preservation Act of 1966 (NHPA) concerning the proposed lease of property in Osage County, Oklahoma.

The Skiatook Economic Development Authority (SEDA) has applied for a lease of approximately 643 acres of land and 46 acres of water in portions of Sections 25, 26, 27, and 35, T22N R11E and Sections 2, 3, and 4, T21N R11E in Osage County, Oklahoma (Figure 1). The proposed project is located on lands administered by the Tulsa District, U.S. Army Corps of Engineers (COE), at Skiatook Lake.

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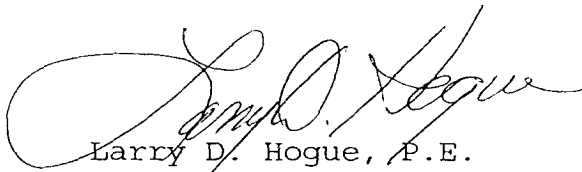
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Thank you for your help with this request. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,

A handwritten signature in dark ink, appearing to read "Larry D. Hogue", is written over the typed name and title.

Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures



DEPARTMENT OF ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

January 17, 2003

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. Jim Roan Gray, Chief
Osage Nation of Oklahoma
627 Grandview Avenue
Pawhuska, OK 74056

Dear Chief Gray:

In accordance with 36 CFR 800 (Protection of Historic Properties), the purpose of this letter is to notify you of our finding of "no adverse effect" regarding the proposed lease of property in Osage County, Oklahoma to the Skiatook Economic Development Authority.

The Skiatook Economic Development Authority (SEDA) has applied for a lease of approximately 643 acres of land and 46 acres of water in portions of Sections 25, 26, 27, and 35, T22N R11E and Sections 2, 3, and 4, T21N R11E in Osage County, Oklahoma (Figure 1). The proposed project is located on lands administered by the Tulsa District, U.S. Army Corps of Engineers (COE), at Skiatook Lake.

Upon COE approval and issuance of the lease, SEDA plans to sub-lease the property to the StateSource, LLC, management group to allow private development of public recreation facilities on the property. As currently proposed, the CrossTimbers Project would include the development of a golf course, marina and boat service, trails, RV sites, cabins, and a village. The village would consist of a lodge, cabins, a store, and other related facilities (Figures 2 and 3). Significant excavation and changes in existing land use would result from the development, although such disturbances would be minimized somewhat by proposed use of existing terrain and vegetation features where possible.

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Healing Rock, 34OS679, is a large upright rock located on a ridge point overlooking Skiatook Lake (see site form in Appendix C). Originally located in Hominy Creek valley, the rock was moved to its present location by the COE at the request of the Quapaw and Osage tribes in order to prevent the rock from being inundated by Skiatook Lake. According to Quapaw informant Bill Kugee Supernaw, Healing Rock is a traditional cultural property of significance to the Quapaw and Osage tribes due to association with some of the first Native American Church gatherings held in Osage County. Other informants indicate that Native Americans had been bringing sick individuals to Healing Rock to be healed for many years. Consultation with the Osage Nation and Quapaw Tribe by the COE in 2002 and 2003 revealed that both tribes still feel Healing Rock is a significant traditional cultural property in spite of the fact that the rock is no longer located in its original setting. Based on information provided by the Osage Nation and Quapaw tribe, we feel that Healing Rock, 34OS679, is eligible for listing on the National Register of Historic Places (NRHP) as a traditional cultural property.

Shortly after initiation of formal consultation with the Osage Nation and Quapaw Tribe in October 2002 the COE was made aware of a previously unknown historic property located within

the boundary of the proposed lease area. Site 34OS678 is a small, burned rock mound approximately 10 meters in diameter and 0.5 meters in height located in the front yard of the COE Skiatook Lake office (see site form in Appendix C). Fire-cracked sandstone rock fragments and darkened soil are visible on the surface of the mound. No other artifacts are visible. From aerial photographs and other documentation on file at the COE Skiatook Lake office, the mound appears to have escaped disturbance during the construction of the nearby office compound during the 1980s. Because of the undisturbed nature and likelihood of the mound containing important information on subsistence activities of prehistoric inhabitants in the area, we feel that site 34OS678 is eligible for listing on the NRHP.

Due to the presence of site 34OS678 in an upland ridgetop setting, it was decided through consultation with the Osage and Quapaw that additional cultural resource survey efforts were warranted in the area proposed for construction of the CrossTimbers golf course. As a means of enhancing ground visibility during the survey, in November 2002 the COE undertook a prescribed burn of nearly the entire 330 acres that would be used for the proposed golf course. As a result of the prescribed burn, many areas that were formerly covered in dense prairie grasses were available for easy surface inspection (Figure 4).

Surface survey of the proposed golf course area began on November 19, 2002. COE archeologists Louis Vogeles and Ken Shingleton spent the entire day walking through the recently burned area, focusing most of their effort on that portion of the property located south of the highway. On November 21, 2002, Anthony Whitehorn of the Osage Nation, Carrie Wilson of the Quapaw Tribe, and Natalie Garrett of the Bureau of Indian Affairs joined Mr. Vogeles in surveying the western portion of the area north of the highway. On November 26, 2002, Mr. Vogeles and Mr. Shingleton returned to complete the remaining survey work in the northeastern portion of the area. In addition, Mr. Whitehorn, Ms. Wilson, and Ms. Garrett accompanied Mr. Vogeles and other COE employees on December 11, 2002 in a boat shoreline survey of the eastern shore of Skiatook Lake and a visit to site 34OS601, a rockshelter with pictographs located outside of the proposed lease area.

As a result of the surveys undertaken in November and December 2002 of the proposed CrossTimbers golf course area, two additional historic properties were discovered (Appendix D). As documented in the attached report and site forms prepared by Dr.

Donald Henry of the University of Tulsa, sites 34OS676 and 34OS677 are historic period archeological sites that are 20th century in origin. Site 34OS676 is composed of the remains of a 1930 oil well drilling location, while site 34OS677 is the remains of the John H. Rogers farmstead occupied from the 1930s - 1970s. We agree with the recommendations of Dr. Henry that sites 34OS676 and 34OS677 are not eligible for listing on the NRHP.

As we have previously indicated, the COE has been formally consulting with the Osage Nation and the Quapaw Tribe regarding the proposed CrossTimbers development since October 2002. During this time the Osage and Quapaw have expressed concerns that golfers utilizing the CrossTimbers golf course might display behavior at Healing Rock that the tribes consider inappropriate in the context of this traditional cultural property. With this concern in mind, options to minimize the likelihood of such activities taking place at Healing Rock have been explored by the COE, SEDA, and the Osage and Quapaw tribes. Ultimately, these discussions lead to two government-to-government meetings between the parties on-site at Healing Rock. The last of these meetings, held January 3, 2003, resulted in a verbal agreement between the COE, SEDA, and the Osage and Quapaw tribes that Healing Rock and the access trail to Healing Rock leading from the COE Skiatook Lake office would be excluded from the proposed lease area (Figure 5). In order to allow public access to the site while minimize the likelihood of inappropriate golfer behavior at Healing Rock, the following provisions were agreed to by all parties: 1) An area 100 feet on all sides of Healing Rock and approximately 50 feet on either side of the Healing Rock access trail will be excluded from the proposed SEDA lease area and removed from development as part of the CrossTimbers golf course; 2) The trail and excluded area around Healing Rock will be maintained as part of the maintenance agreement for the COE Skiatook Lake office compound; and 3) provisions will be established in the SEDA lease agreement and any sub-lease agreement to address future inadvertent discoveries of cultural resources within the entire area proposed for lease.

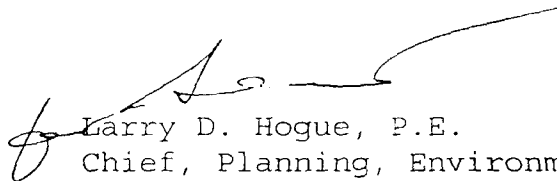
To summarize, cultural resources surveys conducted in 2002 within the proposed SEDA lease area have identified a range of cultural resources present. Sites 34OS676 and 34OS677 are both historic 20th century archeological sites. We feel that both of these sites are ineligible for listing on the NRHP. Site 34OS678 appears to be a relatively undisturbed upland burned rock mound. We feel that site 34OS678 is eligible for listing on the NRHP. Site 34OS678 is located in the mowed front yard of

the COE Skiatook Lake office, and as such will be excluded from the proposed SEDA lease area along with the remainder of the office compound. Site 34OS679 is Healing Rock, a large upright rock associated with early Native American Church activities in the area and relocated to its current position by the COE in 1986. Concerns have been expressed by the Osage Nation and Quapaw Tribe regarding potential inappropriate behavior at Healing Rock by CrossTimbers golfers. Consultation between the COE, SEDA, and the Osage and Quapaw have led to an agreement to remove Healing Rock and the access trail from the proposed lease, to require the access trail and area around Healing Rock to be maintained by the sub-leasee, and that provisions will be inserted in the SEDA lease agreement and any sub-lease agreement to address future inadvertent discoveries of cultural resources in the area proposed for lease. All parties have agreed that these actions concerning Healing Rock and the access trail will minimize the likelihood of inappropriate behavior at Healing Rock while continuing to allow public access to the site.

Because the COE, SEDA, and the Osage Nation and Quapaw Tribe have agreed to exclude sites 34OS678 and 34OS679 from the proposed SEDA lease area and future development associated with the lease, we feel that the proposed lease of the identified property to SEDA will have "no adverse effect" on historic properties. Our formal determination of effect regarding this project was submitted to the Oklahoma State Historic Preservation Office and the Oklahoma State Archeologist on January 10, 2003. The Quapaw Tribe of Oklahoma is also being formed of our determination of effect regarding this proposed project.

We would like to take this opportunity to thank you and the members of the Osage Nation tribal council for your assistance in helping us reach this agreement. If you have any questions, please contact Mr. Louis Vogeles, Archeologist, at 918-669-4934.

Sincerely,



Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures



DEPARTMENT OF ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

January 17, 2003

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. John Berrey, Chairman
Quapaw Tribe of Oklahoma
P.O. Box 765
Quapaw, OK 74363

Dear Chairman Berrey:

In accordance with 36 CFR 800 (Protection of Historic Properties), the purpose of this letter is to notify you of our finding of "no adverse effect" regarding the proposed lease of property in Osage County, Oklahoma to the Skiatook Economic Development Authority.

The Skiatook Economic Development Authority (SEDA) has applied for a lease of approximately 643 acres of land and 46 acres of water in portions of Sections 25, 26, 27, and 35, T22N R11E and Sections 2, 3, and 4, T21N R11E in Osage County, Oklahoma (Figure 1). The proposed project is located on lands administered by the Tulsa District, U.S. Army Corps of Engineers (COE), at Skiatook Lake.

Upon COE approval and issuance of the lease, SEDA plans to sub-lease the property to the StateSource, LLC, management group to allow private development of public recreation facilities on the property. As currently proposed, the CrossTimbers Project would include the development of a golf course, marina and boat service, trails, RV sites, cabins, and a village. The village would consist of a lodge, cabins, a store, and other related facilities (Figures 2 and 3). Significant excavation and changes in existing land use would result from the development, although such disturbances would be minimized somewhat by proposed use of existing terrain and vegetation features where possible.

In order to assess the potential effect of the proposed development on cultural resources, a cultural resources survey of the proposed lease area was undertaken by Dr. Donald Henry of the University of Tulsa in May 2002. One traditional cultural property, called Teepee Rock or Healing Rock, was identified as being present south of the current COE Skiatook Lake office and

within the area proposed for construction of the golf course. No other historic properties were recorded during this survey. The results of this survey were coordinated with your office on June 24, 2002, and in your letter of July 5, 2002 you concurred with our opinion that the proposed lease and subsequent development of the project area would have "no adverse effect" on historic properties in the proposed lease area (see attached report and letters at Appendix A). As part of our consultation under Section 106, copies of this report were also submitted at this time to the Quapaw, Osage, Kiowa, Comanche, and Wichita and Affiliated Tribes for their review, and a request was made to each of these groups for their assistance in identifying cultural properties that may be of traditional religious or cultural significance to them that might be located within the proposed lease area. In a letter dated August 5, 2002, the Osage Nation responded to our request for information by stating that the activities associated with the proposed recreation development of the lease area would have an adverse impact on Healing Rock and potentially other historic properties that may be located within the proposed lease area. The Osage Nation also requested that consultation take place between the Osage, StateSource, SEDA, and the COE regarding the impact of the proposed lease on Healing Rock and other matters (Appendix B).

Healing Rock, 34OS679, is a large upright rock located on a ridge point overlooking Skiatook Lake (see site form in Appendix C). Originally located in Hominy Creek valley, the rock was moved to its present location by the COE at the request of the Quapaw and Osage tribes in order to prevent the rock from being inundated by Skiatook Lake. According to Quapaw informant Bill Kugee Supernaw, Healing Rock is a traditional cultural property of significance to the Quapaw and Osage tribes due to association with some of the first Native American Church gatherings held in Osage County. Other informants indicate that Native Americans had been bringing sick individuals to Healing Rock to be healed for many years. Consultation with the Osage Nation and Quapaw Tribe by the COE in 2002 and 2003 revealed that both tribes still feel Healing Rock is a significant traditional cultural property in spite of the fact that the rock is no longer located in its original setting. Based on information provided by the Osage Nation and Quapaw tribe, we feel that Healing Rock, 34OS679, is eligible for listing on the National Register of Historic Places (NRHP) as a traditional cultural property.

Shortly after initiation of formal consultation with the Osage Nation and Quapaw Tribe in October 2002 the COE was made aware of a previously unknown historic property located within

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Due to the presence of site 34OS678 in an upland ridgetop setting, it was decided through consultation with the Osage and Quapaw that additional cultural resource survey efforts were warranted in the area proposed for construction of the CrossTimbers golf course. As a means of enhancing ground visibility during the survey, in November 2002 the COE undertook a prescribed burn of nearly the entire 330 acres that would be used for the proposed golf course. As a result of the prescribed burn, many areas that were formerly covered in dense prairie grasses were available for easy surface inspection (Figure 4).

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As we have previously indicated, the COE has been formally consulting with the Osage Nation and the Quapaw Tribe regarding the proposed CrossTimbers development since October 2002. During this time the Osage and Quapaw have expressed concerns that golfers utilizing the CrossTimbers golf course might display behavior at Healing Rock that the tribes consider inappropriate in the context of this traditional cultural property. With this concern in mind, options to minimize the likelihood of such activities taking place at Healing Rock have been explored by the COE, SEDA, and the Osage and Quapaw tribes. Ultimately, these discussions lead to two government-to-government meetings between the parties on-site at Healing Rock. The last of these meetings, held January 3, 2003, resulted in a verbal agreement between the COE, SEDA, and the Osage and Quapaw tribes that Healing Rock and the access trail to Healing Rock leading from the COE Skiatook Lake office would be excluded from the proposed lease area (Figure 5). In order to allow public access to the site while minimize the likelihood of inappropriate golfer behavior at Healing Rock, the following provisions were agreed to by all parties: 1) An area 100 feet on all sides of Healing Rock and approximately 50 feet on either side of the Healing Rock access trail will be excluded from the proposed SEDA lease area and removed from development as part of the CrossTimbers golf course; 2) The trail and excluded area around Healing Rock will be maintained as part of the maintenance agreement for the COE Skiatook Lake office compound; and 3) provisions will be established in the SEDA lease agreement and any sub-lease agreement to address future inadvertent discoveries of cultural resources within the entire area proposed for lease.

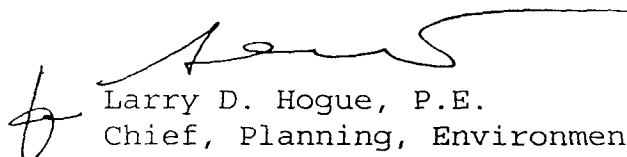
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Because the COE, SEDA, and the Osage Nation and Quapaw Tribe have agreed to exclude sites 340S678 and 340S679 from the proposed SEDA lease area and future development associated with the lease, we feel that the proposed lease of the identified property to SEDA will have "no adverse effect" on historic properties. Our formal determination of effect regarding this project was submitted to the Oklahoma State Historic Preservation Office and the Oklahoma State Archeologist on January 10, 2003. The Osage Nation of Oklahoma is also being formed of our determination of effect regarding this proposed project.

We would like to take this opportunity to thank you and the members of the Quapaw Tribe for your assistance in helping us reach this agreement. If you have any questions, please contact Mr. Louis Vogelee, Archeologist, at 918-669-4934.

Sincerely,


Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures

Donald O. Henry, Ph.D.
CONSULTING ARCHAEOLOGIST
9812 NORTH NEWBURY
OWASSO, OKLAHOMA 74055

Mr. Ron Howell, General Manager
Statesource L.L.C.
320 South Boston, Suite 1030
Tulsa OK 74103

27 December 2002

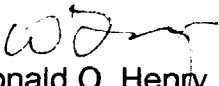
RE: *Field Inspections of Sites 34OS676 & 677 , Skiatook Lake Area, Osage County*

Dear Mr. Howell:

I've enclosed summary reports and completed OAS site forms for the two sites in the proposed Cross Timbers development. I mailed the original to Bob Brooks, Oklahoma Archaeological Survey, for his files on 21 December.

Please let me know if you have any questions on this.

Sincerely,



Donald O. Henry

cc/
L. Vogeles, CofE ✓
N. Garrett, BIA

PHONE: 918 631 2889 or 918 272 7073 FAX: 918 631 2540
E-MAIL: donald-henry@utulsa.edu

Site 34OS677

The site (UTM coords: Zone 14, northing - 4 027 345 easting - 7 59 727) , located near the eastern edge of a ridge top, consists of a small 2m x 4m x 1.5m deep pit (a) and two 10-12m diameter x 1m deep depressions (b & C) created by dozing the terrain downslope to form earthen/rock dams. Other than a single metal cannister, artifacts or other features were not observed in the site area.

Overview and Recommendations. Site 34OS676 represents a 1930 oil well drilling location reflected solely in three terrain features including a small, shallow pit and two small depressions. The depressions are likely to have been constructed as holding ponds. Department of Interior, BIA documents note a well was drilled and subsequently plugged at the location in June-Oct of 1930 (see attached documents). Beyond recording the location of the drilling location, there is little historical/archaeological significance in the site and I do not recommend additional study.

Site 34OS677

The site (UTM coords: Zone 14, northing - 4 027 063 easting - 7 60 478) is located near the base of a ridge-toe on the N-W flank of Hominy Creek Valley. It consists of: (a) a house foundation of unshaped sandstone blocks with mortar, (b) a square water well casing of concrete, (c) a depression associated with rock pile, (d) an oval concrete pump housing consists, (e) a corner foundation of sandstone slabs, (f) concrete foundations and rubble, and (g) broken concrete slabs and sandstone block rubble (See attached Figures 1 & 2).

Documentary Information (Provided by Natalie S. Garrett, Agency Archaeologist, BIA, Osage Agency). The BIA shows the property was allotted to John H. Rogers (Osage Allottee #1840; born 07/08/1897, died 08/24/1961). He is listed in the Osage Family Files as being 5/32 degree of Indian blood, broken down as 1/8 Osage and 1/8 Cherokee (Osage mother & Cherokee father). He was issued a Certificate of Competency in Nov. 1919, relieving the property of restricted status; i.e., no federal regulation or supervision of property. Mr. Rogers' probate is not on record, so there is no description of his holdings at the time of his death.

Map Information. The site is not shown on the 1911 General Land Office Map of the area, but is first shown on a 1936 aerial photo and subsequent aerial photos of 1954 and 1973-1981 (Maps provided by N.S. Garrett). While the house and a nearby outbuilding of similar size are shown on the 1936 aerial photo (and subsequent ones), the other outbuildings (Feature F in Figure 2) are not shown. These outbuildings first appear in the 1954 photo.

The house and outbuildings are shown to be standing on the photo taken between 1973-1981 and the house is shown on the 1963 (1983) USGS, Avant SE quad map.

Field Investigation. The site was initially visited on 11 December 2002 in an effort to determine the content and general locations of the surface features that are evident (Figure 2). On a return visit (14 December 2002), the fieldwork involved: (a) making a general map of the site encompassing all of the features (Figure 2), (b) making a detailed plan of the house foundation (Figure 3), (c) examining the surface artifacts, and (d) placing shovel probes in about the house foundation in an effort to determine the content and stratigraphic context of recovered artifacts.

Features. The features identified on the site include (see Figure 2):

(a) A house foundation (Figure 3) of unshaped sandstone blocks and mortar measuring about 10m (E-W) x

11m (N-S). Many of the sandstone blocks forming the foundation are missing. An attached, presumed root cellar, is covered with railway ties. Pipes thought to represent water and gas supplies are exposed in the cellar.

(b) A concrete water well casing with "Rogers" inscribed in concrete measuring about 2.5m x 2.5m. The well is partially closed, but contains water.

(c) A depression with sandstone rocks perhaps representing a latrine, although it's location is not that accessible to the house.

d) An oval concrete pump housing. (e) A mortared sandstone foundation forming the corner of a structure. (f) Two concrete slabs with associated structural debris (sandstone, red clay tiles, fragments of concrete slabs). (g) A pile of structural debris; and (h) a trash dump containing mostly broken bottles and a broken concrete picnic table/bench, primarily dated to the 1970's (marks on soda bottles), but with a few earlier (?1930-40's items).

Surface Artifacts. Surface artifacts, consisting of domestic (e.g., bottle glass, white paste wares, porcelain) assemblages, are concentrated in the area about the house foundation and in the small area of the trash dump. Domestic artifacts are noticeably absent in the vicinities of the other features.

Shovel Tests. Six test probes were dug to 30-40cm (TP1-6) in and about the house foundation. Three of these (TP 1-3) produced 8 artifacts to a maximum depth of 20cm: TP1 - 1 clear glass fragment, 1 porcelain fragment, 1 fragment of a "Boyd's canning lid"; TP2 - 1 fragment of clear window glass; TP3 - 1 clear bottle base (disposable), 1 clear bottle glass body, 1 fragment molten glass, 1 fragment of rust glazed white paste ware. The other three test probes failed to yield artifacts. The sediments exposed in the probes produced little evidence of sub-surface burning. TP5 and TP6, located inside the foundation, revealed what appeared to be undisturbed natural sediments without evidence of burning or artifacts. This indicates that the structure was probably moved or salvaged, not burned. The root cellar was not investigated because of concern that the railroad tie roof might collapse. A single shovel probe in the trash dump indicates that the assemblage is confined to the surface.

Discussion of Artifacts. The time-sensitive artifacts that were observed on the surface and recovered from the test probes are consistent with map and documentary information which indicate an occupation of the house from the 1930's into the 1970's. The earliest, temporally diagnostic specimens come from the house foundation area and include the two medicine bottles and two Boyd's jar liners (one surface and a large fragment from TP1; see Figure 4). Paneled (flat) sided bottles almost always represent those that were used to hold patent or proprietary medicines (Diamond 1998). Although they were most popular between 1860-1915, they continued to be used in later times. In that neither of the two medicine bottles recovered from the site show "sun purpling" they most likely post-date 1917. Purple glass points to the use of manganese as a clarifier which under ultraviolet exposure turns pinkish-purple. When manganese was replaced by selenium as a clarifier after about 1917 the purpling characteristic disappeared (Kendrick 1966, Newman 1970). Although the original Boyd glass liner and canning jars were patented in 1869 and again in 1891, two other companies (Illinois-Pacific Glass and Illinois Glass) produced the glass liners until 1930 using the Boyd's label. Several soda bottles (7 up, Dr. Pepper) indicate a continued occupation into the 1940's and up until the 1970's as does the 1960 vintage "Hobbled Patterned" glass goblet.

Overview and Recommendations. Site 34OS677 represents an historic farmstead occupied from the 1930's into the 1970's by an Osage Allottee, John H. Rogers (1897-1961). The house site, defined by a sandstone and mortar foundation, appears to date throughout this interval as indicated by aerial photos

(1936, 1954, 1973-81) and time-sensitive artifacts. The outbuildings, reflected only in concrete slab foundations and structural debris, are of uncertain construction age, but first appear in the 1954 aerial photo.

Shovel probes in and about the house foundation show artifacts to be confined to the upper 20cm and surface. While the cultural deposit appears to be in primary context, artifact density is very low. Only three of the shovel probes produced artifacts and these numbered only eight specimens. The absence of a burned horizon, accompanied with artifacts, in the test probes within the foundation suggest that the structure was moved or salvaged in the 1970's.

Although continued study of the site through formal archaeological test excavations would undoubtedly produce additional information, in my opinion, little if any significant information would be added to what is already known of the site from field, map and documentary investigations. Moreover, farmsteads of this period are common to the region and many of these are much better preserved. In light of this, I do not recommend the site for additional study.

References Cited

Kendrick, G.

1966 *The Antique Bottle Collector*. Western Printing and Publishing Co., Sparks, Nevada.

Newman, T. S.

1970 A dating key for post-eighteenth bottles. *Historical Archaeology* 4:70-75.

Sutton, M. Q., B. S. Arkush, and J. E. Diamond

1998 Analysis of historical artifacts. In *Archaeological Laboratory Methods*. M.Q. Sutton and B.S. Arkush (eds.), Pp. 165-232, Kendall-Hunt Publishing Co., Dubuque, Iowa.



Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

Larry D. Hogue
Chief, Planning, Environmental
And Regulatory Division
Department of the Army
Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Re: Proposed Cross Timbers Village and Golf Course by the Skiatook
Economic Development Authority at Skiatook Lake. Legal Description:
Sections 26, 27, 34, and 35 T22N R11E; Sections 2 and 3 T21N R11E,
Osage County, Oklahoma.

Dear Mr. Hogue:

I have received an updated assessment from your agency concerning the above referenced action. In the initial study of this project in May and June, 2002 Dr. Donald Henry identified only the "Healing Rock" as present within the project. As this traditional property had been relocated and was not directly within the project construction area, the assessment was that it would not be affected by the action. (A concurrence letter on this project was sent on July 5, 2002.)


As documented in this update, there have been a number of new findings since the initial work. Consultations with the Osage Nation and the Quapaw Tribe have revealed that regardless of location, "Healing Rock" holds significance as a place of traditional and religious value and is recommended as eligible for the National Register of Historic Places. "Healing Rock" was subsequently recorded as 34OS679. Additional archaeological survey was also conducted within the area of the proposed golf course after a prescribed burn. This examination revealed the presence of two previously undocumented historic archaeological sites: one related to the oil industry (34OS676) and one representing the Rogers homestead (34OS677). One additional archaeological site is discussed in relation to this action. This is an apparent prehistoric burned rock mound at the project office (34OS678). It is recommended that this burned mound is also eligible for the National Register.

If the Osage Nation and Quapaw Tribe and the Corps of Engineers are in concurrence that "Healing Rock" is an eligible property (I assume under Criteria a-b) then I concur with this evaluation. I think that only the concerned tribes and the agency are in a

position to evaluate potential eligibility here. **I defer comment regarding the potential eligibility and project effect for 34OS676 and 34OS677 to the Historic Archaeologist with the Historic Preservation Office.** Lastly, I do have some reservations concerning placement of 34OS678, the burned rock mound, on the National Register without evaluation. There have been a number of burned rock mounds studied in north central Oklahoma. Some of these hold content making them worthy of National Register eligibility, others do not. We also do not know the cultural context of the mound. Without some type of evaluation (either earth-disturbing or passive), I would prefer to see this site retain a potentially eligible status. As this site is at the project office, it should be adequately protected without the need of National Register eligibility. I might add that I am confused as to whether this site is within the APE for this action of you simply included it here.

This review has been conducted in cooperation with the State Historic Preservation Office, Oklahoma Historical Society.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Brooks', written over the word 'Sincerely,'.

Robert L. Brooks
State Archaeologist

Cc: SHPO
Osage Nation
Quapaw Tribe
Wichita and Affiliated Tribes
D. Henry



Oklahoma Historical Society

Founded May 27, 1893

State Historic Preservation Office • 2704 Villa Prom • Shepherd Mall • Oklahoma City, OK 73107-2441

Telephone 405/521-6249 • Fax 405/947-2918

February 6, 2003

Mr. Larry Hogue
Chief of Operations, CESWT-OD
Tulsa District Corps of Engineers
1645 South 101 East Avenue
Tulsa, OK 74128-4609

RE: File #0687-03; Skiatook Lake, Cross Timbers Lease Project

Dear Mr. Hogue:

We are in receipt of your documentation concerning the referenced project in Osage County. We concur with your opinion that the large sandstone rock known by the Osage and Quapaw as "Teepee Rock" or "Healing Rock" (340S679) is eligible for listing in the National Register of Historic Places. Although moved from its original location, the stone is traditional cultural property and still clearly retains significance for the tribes.

The second location contains the remains of a prehistoric burned rock mound (340S678). We defer to the State Archeologist concerning the National Register eligibility of site 340S678, and note that Dr. Brooks has expressed reservations about concurring with your opinion of eligibility for this location until after additional investigations have been conducted.

We further concur with your opinion regarding two sites dating from the Historic Period: site 340S676, a 1930s oil well drilling site; and 340S677, the John H. Rogers farmstead. According to Dr. Don Henry, contract archeologist, these sites are not eligible for listing in the National Register of Historic Places.

Based on the decision that archeological sites 340S679 (Teepee Rock) and 340S678 (burned rock mound) are not included within the property proposed for leasing, it is our opinion that there are no properties eligible for the National Register of Historic Places within the project area.

Thank you for the opportunity to review this project. If you have any questions, please call Charles Wallis, Historical Archeologist, at 405/521-6381. Please reference the above underlined file number when responding. Thank you.

Sincerely, *Melvena Heisch*

Melvena Heisch
Deputy State Historic
Preservation Officer

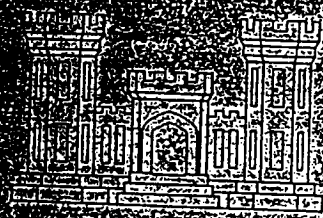
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APPENDIX E

Skiatook Dam and Reservoir, Hominy Creek,
Oklahoma: Supplement No. 1 and No. 2 to
Design Memorandum No. 2, General Design

SKIATOOK DAM AND RESERVOIR
HOMINY CREEK, OKLAHOMA

DESIGN MEMORANDUM NO. 2
GENERAL DESIGN



U. S. ARMY ENGINEER DISTRICT TULSA
CORPS OF ENGINEERS
TULSA, OKLAHOMA
MARCH 1966

SKIATOOK DAM AND RESERVOIR
HOMINY CREEK, OKLAHOMA

SUPPLEMENT NO. 1
TO
DESIGN MEMORANDUM NO. 2
GENERAL DESIGN

U. S. ARMY ENGINEER DISTRICT, TULSA
CORPS OF ENGINEERS
TULSA, OKLAHOMA
DECEMBER 1966

SKIATOOK DAM AND RESERVOIR
HOMINY CREEK, OKLAHOMA

SUPPLEMENT NO. 1
TO
DESIGN MEMORANDUM NO. 2
GENERAL DESIGN

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A	Report by U. S. Fish and Wildlife Service

SKIATOOK DAM AND RESERVOIR
HOMINY CREEK, OKLAHOMA

SUPPLEMENT NO. 1
TO
DESIGN MEMORANDUM NO. 2
GENERAL DESIGN

1. Purpose. - This supplement presents a U. S. Fish and Wildlife Service report on Skiatook Reservoir and Tulsa District comments thereto.

2. Report by U. S. Fish and Wildlife Service.

a. General. - The U. S. Fish and Wildlife Service submitted a letter report, dated 8 February 1966, on the fish and wildlife resources in relation to Skiatook Reservoir, Oklahoma. The report was concurred with by the Oklahoma Department of Wildlife Conservation, and a copy of the report is inclosed as exhibit A. The report indicates the reservoir will be a relatively clear, fertile body of water capable of initially supporting good populations of sport fish species and in later years being more favorable for the production of nongame fish. The report lists a net gain of 55,400 average annual man-days of fishing as a result of the project. The commercial fish catch is listed as 200,000 pounds annually. A net gain of 80 gallons of bait minnows annually is listed for the lower reaches of Hominy and Bird Creeks. The report indicates annual losses to hunting of 400 man-days for big game, 600 man-days for upland game, and 2,100 man-days for fur animals, for a total of 3,100 man-days. A net gain of 400 man-days annually for waterfowl hunting is given. The big game hunting loss is a result of deer habitat being inundated by the reservoir. Upland game habitat within the reservoir will be inundated, and with the downstream flood protection provided by the project, bottom land hardwoods will be cleared for agricultural purposes. The report states that under these conditions, dove, cottontail rabbits, and bobwhite quail populations are expected to increase, while squirrel populations will decline. The same land-use changes are stated as a reason for losses in fur animal hunting. Before receipt of the U. S. Fish and Wildlife Service report, the Tulsa District independently estimated fish and wildlife benefits as shown in paragraph 11-01 of Design Memorandum No. 2, General Design.

b. U. S. Fish and Wildlife Service recommendations and Tulsa District comments.

(1) Recommendation No. 1. - "That minimum instantaneous releases from Skiatook Dam of 10 second-feet be made during the months of April through October and 5 second-feet during the months of November through March."

Comments. - The Service estimates the above releases would provide an enhancement of 6,500 man-days annually of sport fishing and would increase the commercial minnow catch by 50 gallons annually. Project plans provide a 5 c.f.s. minimum release from Skiatook Reservoir which would maintain the aesthetic value of the stream and would aid in the propagation of fish and wildlife on Hominy Creek. The Tulsa District believes this represents the maximum use of the water resources available. Releases will be more than 10 c.f.s. from March through September. Under project operation, the downstream flow will show an improvement throughout the life of the project. This provides flexibility in the releases and will result in the enhancement anticipated by the request.

(2) Recommendation No. 2. - "That a berm or other suitable type fishing platform with guardrails be installed on or near the retaining wall overlooking the stilling basin to help assure fisherman safety and to facilitate additional fishing in the stilling basin area. Cost of the facility would be insignificant if provisions for such were included in the initial design of the dam."

Comments. - Project plans provide for fisherman access to the stilling basin area. Suitable facilities will be developed consistent with public safety. Benefits derived from the facilities will more than equal the cost. This request will be given further consideration in the design of the outlet features.

(3) Recommendation No. 3. - "That provision be included in plans for project operation for water-level manipulation as an aid to fishery management; provided that such manipulations are consonant with the best interests of all project purposes."

Comments. - The Tulsa District recognizes that the technique of water-level manipulation may be a desirable and effective means for fish management. However, there are many possible conflicting features and effects such a program may have on other project interests. Any individual requests by the Oklahoma Department of Wildlife Conservation for water-level manipulation would be studied for the effect on other project interests and accomplished if feasible.

(4) Recommendation No. 4. - "That the project plan of operation include three cleared and charted seining areas totaling approximately 300 acres in the general locations indicated on Plates III and IV. Additional costs for clearing are estimated to be \$4,500."

Comments. - This recommendation is made to increase commercial fish harvest which is estimated at 100,000 pounds annually by the Service. Tulsa District concurs with this recommendation.

Reservoir clearing will be coordinated with the Oklahoma Department of Wildlife Conservation during preparation of the design memorandum for reservoir clearing.

(5) Recommendation No. 5. - "That one of the presently planned public access areas be relocated in the upper end of the reservoir. The cost for relocating the access area would be insignificant."

Comments. - The Tulsa District plans seven public-use areas at the project, six areas above the dam and one near the stilling basin. The public-use areas around the reservoir will provide access for full use of the reservoir and will satisfy the request. Hominy Landing public-use area, located at Eagle Creek and Oklahoma Highway 20 relocation H-3, has been selected as being the most desirable location for access to the upper part of the reservoir, considering terrain, water level fluctuations, and access roads.

(6) Recommendation No. 6. - "That, in the interest of public safety and to insure that adequate areas will be available for fishing, hunting, and other wildlife purposes without conflicting uses for general recreation, a reservoir zoning plan be developed cooperatively by the Corps of Engineers, the Oklahoma Department of Wildlife Conservation, and the Oklahoma Planning and Resources Board."

Comments. - The Corps of Engineers has the responsibility for zoning the reservoir to provide the best public use. During preparation of the master plan for reservoir development or any other zoning plan, coordination will be accomplished with the interested agencies, including those listed in the recommendation.

(7) Recommendation No. 7. - "That, to mitigate losses to upland-game hunting resulting from construction of Skiatook and Birch Dams and to enhance upland-game hunting, approximately 1,000 acres of land as delineated on Plate V be acquired and developed at project expense and be made available to the Oklahoma Department of Wildlife Conservation under the terms of a General Plan as provided in Section 3 of the Fish and Wildlife Coordination Act, and that annual operation and maintenance costs be funded by the project. It is estimated that the costs of lands would be about \$500,000, the cost of initial development would be about \$57,000, and annual operation and maintenance costs would be \$10,000."

Comments. - The Service estimates the 1,000 acres of land would provide 3,200 man-days of upland game hunting, mitigating upland game losses associated with both Skiatook and Birch Reservoir projects, and would provide benefits resulting from an additional 2,600 man-days of upland game hunting. The Service reported losses for upland game hunting of 600 and 250 man-days annually for Skiatook

and Birch Reservoirs, respectively. Based on land acquisition costs of \$500,000, initial development costs of \$57,000, and annual operation and maintenance costs of \$10,000, the total annual charges are shown in table 1.

TABLE 1

SUMMARY OF ANNUAL CHARGES
PROPOSED WILDLIFE MANAGEMENT AREA

Item	Land	Initial development	Total
	\$	\$	\$
First cost	500,000	57,000	557,000
Interest during construction	0	0	0
Investment	500,000	57,000	557,000
Annual charges, interest, and amortization	16,300	1,900	18,200
Operation and maintenance costs	0	10,000	10,000
Total	16,300	11,900	28,200

With annual charges of \$28,200 to furnish 3,200 man-days of upland game hunting, each man-day of hunting would cost \$8.81. Based on the range of values contained in Supplement No. 1 to Senate Document No. 97, this cost is considered excessive. Therefore, the purchase of additional lands, development, and operation and maintenance of the proposed upland game management area is not economically feasible and is not proposed.

(8) Recommendation No. 8. - "That project purchased lands be clearly marked by the Corps of Engineers immediately following acquisition so as to delineate those areas open to hunting and fishing and other public uses."

Comments. - Tulsa District plans to survey and mark the boundary of project lands before completion of the project. Developed public-use areas and areas reserved for project operation, health, and public safety will be well marked by signs. The project area will be open to hunting and fishing except for areas reserved for operation, health, and safety.

3. Summary.

a. The net benefits shown in the letter report by the U. S. Fish and Wildlife Service are less than those previously estimated by

the Tulsa District. The differences are not critical to the overall economics of the project.

b. Downstream water release schedules represent the maximum use of the resources available. Tulsa District believes the releases will provide the enhancements to sport and commercial minnow fishing discussed in the Service report.

c. Fishing access to the stilling basin is desirable and will be given consideration in design of the outlet features.

d. Water level manipulation is a fish management tool but may conflict with other project purposes. Each request for water level manipulation would be given consideration.

e. Tulsa District concurs in the recommendation for providing seining areas.

f. Access will be provided to the upper part of the reservoir at the Hominy Landing public-use area.

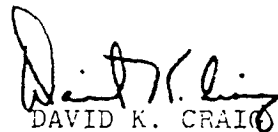
g. Any zoning plan for the reservoir will be coordinated with the interested agencies.

h. Provisions of additional land, development, operation, and maintenance for a public hunting area are not economically justified.

i. Project lands will be surveyed and marked during project construction. The project will be available for hunting and fishing except areas reserved for operation, health, and safety.

4. Recommendation. - Recommend this supplement be approved as the basis for further planning.

FOR THE DISTRICT ENGINEER:



DAVID K. CRAIG
LTC, CE
Deputy District Engineer

EXHIBIT A

Report by U. S. Fish and Wildlife Service



UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
BUREAU OF SPORT FISHERIES AND WILDLIFE

POST OFFICE BOX 1306
ALBUQUERQUE, NEW MEXICO 87103

February 8, 1966

District Engineer
Corps of Engineer, U. S. Army
Post Office Box 61
Tulsa, Oklahoma

Dear Sir:

This letter constitutes the report of the Bureau of Sport Fisheries and Wildlife on the fish and wildlife resources in relation to the Skiatook Reservoir, Oklahoma. It is intended to accompany your Design Memorandum on this project. Skiatook Reservoir was authorized as part of the Verdigris River and Tributaries developments, Kansas and Oklahoma, by the Flood Control Act of October 23, 1962 (76 Stat. 1173). This report has been prepared under the authority and in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.). It is based on information provided by your office prior to October 23, 1965. The report has the concurrence of the Oklahoma Department of Wildlife Conservation as signified by the enclosed copy of a letter dated October 18, 1965, signed by Director Wendell Bever. This report has also been coordinated with and has the concurrence of the Bureau of Commercial Fisheries.

A preliminary review of the fish and wildlife aspects of the project based on earlier engineering plans for flood control and associated purposes on the Verdigris River and Tributaries system was presented in a letter report dated March 22, 1962. This Bureau issued a letter report dated June 22, 1964, on Birch Dam and Reservoir, Verdigris River and Tributaries project. In that report, it was indicated that wildlife losses associated with Birch Reservoir should be mitigated in conjunction with mitigation of wildlife losses associated with other features of the Verdigris River and Tributaries system, namely Skiatook and Candy Reservoirs.

The Skiatook Dam site is located on Hominy Creek at stream mile 14.3 approximately 4 miles west of Skiatook in Osage County, Oklahoma. The reservoir will be operated as one of the units of the flood control system authorized in the Verdigris River and Tributaries Project. Other units are Birch, Candy, Sand, and Copan Reservoirs. Project purposes include flood control, water supply, water quality control, fish and wildlife, and recreation. In combination with Birch and Candy Reservoirs, Skiatook Reservoir will serve to control partially the flood flows of Bird Creek.

DESCRIPTION OF THE AREA

Hominy Creek heads in south-central Osage County and flows southeasterly 72 miles to its confluence with Bird Creek, a tributary of the Verdigris River. The watershed is roughly elliptical in shape with terrain that ranges from flat, fertile bottomlands to rolling and hilly uplands. The upper end of the watershed is characterized by grasslands with scattered timber whereas the lower area has moderate timber cover with a significant acreage of cultivated land.

Hominy Creek is a meandering, deeply entrenched stream with an average gradient of 5.3 feet per mile. It is subject to extreme fluctuations of flow, overflowing its channel during periods of heavy precipitation, but often having zero flows during periods of drought. Average annual rainfall is about 36 inches with most of the yearly rainfall occurring from April through September. The climate is characterized by moderate winters and long summers with relatively high temperatures.

Although the project is located in a predominantly rural area, approximately 890,000 people reside within a day-use distance of 75 miles of the proposed reservoir site. A high degree of expanded urbanization is indicated for this area. Based on available data, about 2,400,000 people will live within the 75-mile radius by 2020. Larger cities and towns within this radius include Tulsa, Bartlesville, Muskogee, Okmulgee, Sapulpa, Claremore, Pawhuska, Stillwater, and Ponca City, Oklahoma; and Arkansas City, Coffeerville, Independence, and Sedan, Kansas.

Agriculture and crude oil and natural gas production are the major enterprises in the area. The major agricultural pursuits are livestock production and general farming.

PLAN OF DEVELOPMENT

Skiatook Dam will be a rolled earthfill structure approximately 3,560 feet long. The reservoir at top of the flood control pool and conservation pool will cover 13,950 and 10,540 surface acres, respectively. The area of the average annual minimum pool will be approximately 8,100 acres. Pertinent reservoir operation data are presented in Table 1.

Table 1. Pertinent Data, Skiatook Reservoir

Item	Elevation (feet m.s.l.)	Surface Area (acres)	Capacity (acre-feet)
Top of flood control pool	729.0	12,950	513,500
Average annual max. pool	716.0	10,940	352,700
Top of conservation pool	714.0	10,540	331,200
Average annual min. pool	701.5	8,100	214,900
Inactive pool	657.0	1,476	11,760
Streambed	613.0	-	-

At conservation pool elevation, the reservoir will have a capacity of 331,200 acre-feet. This capacity will make possible a dependable yield of about 234 acre-feet per day for future municipal, industrial, and water quality control needs. Preliminary project information indicates that slightly under 20 percent of this water supply yield will be for municipal and industrial use and the remaining 80 percent will be available for water quality control. In the initial years of project operation, probably until the year 1990, water quality releases will not require all of the water available for this purpose. Table 2 shows water quality releases during the early years of project operation.

Table 2. Skiatook Reservoir Water Quality Releases
To Year 1990

Month	Average Daily Releases (second-feet)
January	1.3
February	1.2
March	1.3
April	1.2
May	1.3
June	18.0
July	88.0
August	100.0
September	48.0
October	13.0
November	7.0
December	1.1

After 1990, water quality releases will gradually increase, depending on demand. Ultimately, the average annual releases in Hominy Creek for water quality may reach 96 second-feet.

Estimated land requirements, as provided by the Corps of Engineers, indicate that approximately 20,000 acres will be acquired in fee title. This is based on a blocked perimeter that encompasses the area to be covered at the spillway crest elevation, including free-board allowance, or limits of backwater effects, whichever is higher, with a minimum distance of 300 feet horizontally from the static full pool, elevation 729.0 feet.

Personnel from your office have indicated that from six to nine public-use areas and boat-launching ramps are planned for the Skiatook Reservoir including access and parking facilities in the area immediately downstream from the dam. Fish and wildlife evaluations of this project have been made on the assumption that this access will be developed and available to the public.

Fish and wildlife resources also are evaluated on the assumption that during the without-the-project period of analysis, none of the authorized reservoirs affecting Bird Creek will be in place. These reservoirs are Birch, Candy, and Skiatook. With-the-project evaluations are made on the assumption that Skiatook Reservoir only will be in operation. Plate I shows the location of Skiatook Reservoir in relation to other associated reservoirs of the Verdigris River and Tributaries Project. Skiatook Dam and Reservoir are shown on Plate II.

FISH

Without the Project

The area of project influence on fish habitat includes approximately 40 miles of Hominy Creek from the upstream end of the proposed Skiatook Reservoir to its confluence with Bird Creek and approximately 27 miles of Bird Creek from the mouth of Hominy Creek to its confluence with the Verdigris River.

Fish habitat quality in Hominy Creek ranges from moderate to high depending on water conditions. During the spring and early summer months, fishing success is highest, with good catches of channel catfish, flat-head catfish, crappie, largemouth bass, and various smaller sunfishes being taken. During the late summer months, fishing is limited to the

deeper pools, and success declines correspondingly. In the upper reach, Hominy Creek flows through a well-defined canyon and possesses numerous riffle and pool areas. In this upper zone, the cooler, swifter water supports populations of spotted bass.

The 27 miles of Bird Creek within the area of project influence provides low quality fish habitat, being adversely affected by industrial and domestic pollution.

Public access to most reaches of Hominy and Bird Creek in the project area is restricted. Where roads cross or approach the streams, the immediate areas are fished. Projected over the 100-year period of analysis without the project, the 40 miles of Hominy Creek affected by the project would support about 3,100 fisherman-days per year. Sport fishing in Bird Creek would average 1,100 man-days annually.

Commercial fishing for food fishes throughout the project area would not be significant. The commercial minnow fishery in the lower reaches of Hominy and Bird Creeks would contribute to the income of several bait dealers. It is estimated that the minnow fishery in Hominy Creek and Bird Creek would amount to about 80 gallons per year.

With the Project

At conservation pool elevation, Skiatook Reservoir will form a 10,540-acre impoundment. The reservoir will be a relatively clear, fertile body of water capable of supporting initially good populations of sport fish species such as largemouth bass, white crappie, channel catfish, bluegill, and various smaller sunfishes. It is expected, however, that long range environmental conditions will prove more favorable for the production of nongame fishes. Such species as freshwater drum, carp, buffalofishes, gar, and carpsucker will predominate in later years and, as these species become dominant, sport fishing will decline.

Skiaotook Reservoir will be in an area where there are numerous existing reservoirs and where several others are authorized for construction. Existing impoundments within 75 miles of the project area have a total of more than 220,000 surface acres of available fishing water. Projects authorized for construction will provide an additional 35,000 surface acres, all within a day-use distance of the project site.

Despite the abundance of impoundments within the area, Skiatook Reservoir will attract fishermen from Tulsa as well as from adjacent towns and communities. It is estimated that the reservoir will support 52,000 sport-fisherman-days annually.

The construction and operation of the Skiatook Dam and Reservoir will inundate about 26 miles of Hominy Creek. It is anticipated that the proposed allocation for water quality releases during the period of June through November will improve the fish habitat in the 14.3-mile reach of Hominy Creek downstream from Skiatook Reservoir and in the 27 miles of Bird Creek below the confluence of Hominy Creek. Water quality releases during the remainder of the year, however, will be very low. This condition will affect the sport fish population in Hominy Creek and will have some deleterious effects on the fishery resource in Bird Creek during this period.

Under these conditions, it is estimated that Hominy Creek downstream from Skiatook Dam site, excluding the stilling basin area, will support about 1,400 fisherman-days per year. The reach of Bird Creek below Hominy Creek will carry an estimated 2,200 fisherman-days annually. The stilling basin area will support about 4,000 fisherman-days annually.

Table 3 presents a summary of fishing without and with the project.

Table 3. Average Annual Man-days of Fishing

Item	Without Project	With Project	Gain or Loss
Hominy Creek, 40.0 miles	3,100	1,400	-1,700
Bird Creek, 27.0 miles	1,100	2,200	1,100
Skiatook Reservoir, 8,100 acres	0	52,000	52,000
Stilling Basin Area, 0.5 mile	0	4,000	4,000

The reservoir will support good populations of commercially desirable fishes, and it is estimated that a commercial food fish catch, composed primarily of freshwater drum, carp, buffalofishes, and white bass, of 200,000 pounds will be harvested annually.

The improved downstream flow regime in the lower reaches of Hominy and Bird Creeks during the summer and fall months will support an increased commercial minnow fishery. The close proximity of the Skiatook Reservoir to population centers will very likely put more impetus on this commercial resource. It is estimated that about 160 gallons of bait minnows will be harvested in the lower reaches of Hominy Creek and Bird Creek.

WILDLIFE

Without the Project

The area of project influence on wildlife includes the 20,000 acres of land to be acquired for project purposes at the reservoir site, about 5,100 acres in the Hominy Creek floodplain and 21,400 acres in the Bird Creek floodplain from the junction of Hominy Creek downstream to the confluence of Bird Creek with the Verdigris River.

Vegetation within the area of project influence is a composite of bottomland timber and shrubs interspersed with fields of cropland and pasture in the floodplain and mixed tall-grasses and post oak-blackjack oak timber on the uplands.

White-tailed deer are present in the area in moderate numbers and populations are increasing throughout this section of Oklahoma. Principal upland-game species are fox squirrel, cottontail, swamp rabbit, mourning dove, and bobwhite. Fur-animal species include mink, raccoon, skunk, fox, and opossum. Waterfowl numbers in the project area are low.

Wildlife habitat over the without-the-project period of analysis would be suitable for sustaining huntable populations of deer, squirrels, cottontails, mourning doves, and bobwhites. However, clearing trends and agricultural emphasis toward converting bottomland timber to improved pasture and cropland would have an adverse effect on deer, squirrel, and fur-animal habitat and populations.

Over the 100-year period of analysis, there would be about 1,000 man-days of deer hunting annually within the combined areas of the reservoir site and the floodplains of Hominy and Bird Creeks. Upland-game hunting in the area of project influence would amount to about 2,900 man-days per year. Sport hunting for fur animals, primarily fox and raccoon, would amount to about 3,400 man-days annually. There would be approximately 600 pelts taken on these lands. Waterfowl hunters would account for about 500 man-days of hunting annually.

With the Project

Project construction and operation will result in the permanent loss of some 10,940 acres of wildlife habitat within the average annual maximum pool. An additional loss of about 1,500 acres will be sustained through use of lands for the damsite, access roads, parking areas, and recreation areas. An additional 26,500 acres of bottomland downstream from the reservoir site will be affected through land-use changes resulting from increased flood protection.

Big-game hunting will be reduced directly as a result of deer habitat being inundated by the reservoir. Forested stream bottoms are an integral part of deer habitat throughout this region of Oklahoma, and loss of a significant acreage of this food and cover-producing area will reduce the carrying capacity of the area. Land-use changes on portions of the protected downstream floodplain also will adversely affect huntable populations of deer on these affected areas.

Upland-game habitat within the conservation pool of the reservoir will be lost through inundation. With the associated downstream flood protection, bottomland hardwoods will be cleared for agricultural purposes. Under these conditions, dove, cottontail, and bobwhite populations are expected to increase, and squirrel populations will decline.

Inundation in the reservoir site and land-use changes downstream from the reservoir will result in reduced fur-animal hunting and reduced fur take.

Waterfowl hunting on the reservoir is expected to be moderate. Lack of food-producing areas, however, will preclude prolonged use by migrating and wintering ducks and geese. Some waterfowl habitat will be lost through downstream land-use changes occasioned by the project.

Projected over the period of analysis with the project, an average of 600 man-days of big-game hunting, 2,300 man-days of upland-game hunting, and 1,300 man-days of fur-animal hunting can be expected annually within the project area. Approximately 400 pelts will be taken on project-affected lands. About 900 man-days of waterfowl hunting annually also can be expected with the project.

Table 4 presents a summary of hunting without and with the project.

Table 4. Summary of Hunting Man-days Annually

Kind of Hunting	Without Project	With Project	Gain or Loss
Big game	1,000	600	-400
Upland game	2,900	2,300	-600
Fur animal	3,400	1,300	-2,100
Waterfowl	500	900	400

DISCUSSION

There will be an increase in fishing in the 14.3 miles of Hominy Creek below Skiatook Dam and in the 27.0 miles of Bird Creek from the confluence of Hominy Creek to the Verdigris River. This increase is based on the schedule of releases shown in Table 2 and also on the assumption that such flows will be increased after 1990 to meet anticipated downstream water requirements.

To insure preservation of stream fishery resources during initial years of project operation and during the scheduled low-flow period of December to June, minimum instantaneous releases should be made from Skiatook Dam. In the period April through October, the minimum release should be 10 second-feet and from November through March the minimum release should be 5 second-feet.

A schedule of minimum instantaneous releases, as described above, would provide additional fishery benefits in Hominy and Bird Creeks. The improved streamflows would provide an additional 2,500 man-days of stream sport fishing and would increase the commercial minnow catch by 50 gallons annually. Furthermore, such flows would enhance significantly the stilling basin area of the project, resulting in 4,000 additional fisherman-days each year.

Construction of a berm or other suitable type fishing platform with guardrails on the retaining wall overlooking the stilling basin would contribute greatly to fisherman safety and also would facilitate increased fishing in the stilling basin area. Cost of the berm-type fishing platform would be insignificant if provisions for such are included in the initial design of the dam. It is estimated that an additional 1,000 fisherman-days annually would occur in the stilling basin area if the suggested facility is constructed.

Skiatook Reservoir initially will provide good sport fishing. Because of gradual increases in numbers of nongame fishes, however, the fishing will lower in quality. To help assure high quality sport fishing, the Oklahoma Department of Wildlife Conservation has expressed a desire to have the water level of the reservoir manipulated as part of a fish-population control program. Such a program would entail periodic drawing down of reservoir waters to the lowest feasible pool elevation combined with intensive reduction of fishes by seining or other fishery management techniques initiated during and after the drawdown. Such a plan, if carefully devised and executed, would eliminate a large percentage of the population of nongame fishing and would provide a more favorable environment for the production or restocking of sport fishes.

Timing of drawdowns would be dependent on fish population data determined by State fishery biologists and would be initiated when such operations are consonant with the interests of all other project purposes. Correctly times, a water-level manipulation program would result in little additional cost to reservoir operation.

Implementation of a water-level manipulation plan would make possible an additional 16,000 man-days of sport fishing annually. Commercial fishing benefits amounting to a harvest of 280,000 pounds of fish annually would also occur with a program of selective water-level manipulations.

To help harvest the commercially valuable fish from the reservoir, three seining sites should be established. The proposed sites have been located on cultivated or open pasture areas which would require little additional clearing. The areas should be cleared to an elevation approximately 1 foot above conservation pool level. All obstructions to seining, especially tree stumps, should be removed just below ground level to prevent fouling of nets. Clearing should be accomplished immediately prior to impoundment to prevent regrowth of woody vegetation which would render the sites unusable. Location of the three seining areas, totaling approximately 300 acres, are designated on Plates III and IV. Clearing of the areas, at an estimated cost of \$4,500, should be a project obligation. If adequate provision is made for seining areas, an increased commercial fish harvest of 100,000 pounds would occur annually.

Fish and wildlife evaluations as presented herein are based on the premise that from six to nine public access-parking areas with boat-launching ramps and associated basic facilities will be provided at advantageous locations about the reservoir and immediately downstream from the dam. It would be desirable to locate one of the planned access sites in the upper extremes of the reservoir area. This would assure greater hunter and fisherman access to the project lands. It is estimated that an additional 1,500 man-days of fishing per year would be realized if an access site were located in the upper end of the reservoir. Little additional cost would be involved in relocating the facility because existing roads could be used in conjunction with such an access site.

Consideration should be given to the use of the reservoir for all water-based recreation through adequate zoning of reservoir waters. Adoption of an adequate plan would increase fishing benefits in the reservoir and would be in the interest of public safety so that sports such as speed-boating and waterskiing will not present hazards to fishermen. Zoning regulations should be established cooperatively by the agencies expected to administer the reservoir.

Major wildlife losses will result from land-use changes associated with flood protection afforded the Hominy Creek floodplain and from the inundation of wildlife lands by the Skiatook Reservoir. A wildlife management area should be developed to permit mitigation of such losses to the degree possible.

Wildlife losses also will occur along the Bird Creek floodplain from Birch Reservoir to the Verdigris River through flood protection afforded by Birch Reservoir, another phase of the Verdigris River and Tributaries Project. This Bureau's letter report of June 22, 1964, on Birch Reservoir pointed out that major wildlife losses would result from flood protection afforded the Bird Creek floodplain but that it would not be economical to manage specific wildlife lands on the Birch Reservoir area to mitigate the associated losses. That report on page 10 states, "However, the plans for the mitigative measures are being deferred until we report on Skiatook Reservoir. At that time, we will present a plan to mitigate all wildlife losses associated with reservoirs affecting the Bird Creek floodplain."

Although valuable big-game and fur-animal hunting will be lost with the project, it will not be possible to mitigate that loss in kind in the project area. The limited amount of suitable timberland surrounding the reservoir precludes intensive management of project lands for big game or fur animals. Adequate areas suitable for big game and fur animals are lacking also in the downstream section. It would be possible, however, to mitigate the loss of upland-game hunting through management of lands in the Hominy Creek floodplain just downstream from Skiatook Reservoir. The Oklahoma Department of Wildlife Conservation has expressed a willingness to administer an upland-game management area in the downstream section.

Under intensive management, an area of about 1,000 acres as depicted on Plate V would support high populations of mourning doves, bobwhites, and cottontails with some use by woodcock and snipe. The habitat of the management area would not be suitable for mitigating the loss of 400 man-days of big-game hunting and 2,100 man-days of fur-animal hunting. The area would provide 3,200 man-days of upland-game hunting. This would mitigate upland-game hunting losses associated with both Skiatook and Birch Reservoir Projects. It would also provide benefits resulting from an additional 2,600 man-days of upland-game hunting.

Initial development of the wildlife management area would require fencing and posting of acquired lands, construction of roads, headquarters and other buildings, and cover development of habitat. Habitat improvement would include establishment of cover plants around field boundaries and

planting of wildlife foods such as alfalfa, clover, and various small grains. The annual operation and maintenance costs which would include habitat management would be about \$10,000 annually. The land acquisition costs, the initial development costs, and annual operation and maintenance costs would be at project expense.

Costs associated with the acquisition and development of the management area are shown in Table 5.

Table 5. Summary of Estimated Costs for Establishing Wildlife Management Area

Item	Cost	
<u>Land Acquisition</u>		
1,000 acres	\$500,000	
Subtotal		\$500,000
<u>Development</u>		
Fencing and posting	12,000	
Headquarters and equipment shed	20,000	
Gravel road for management purposes, 1 mile	6,000	
Farming equipment	9,000	
Habitat development	10,000	
Subtotal		<u>57,000</u>
Total		\$557,000

After acquisition, the management area should be made available to the Oklahoma Department of Wildlife Conservation under terms of a General Plan as provided for in Section 3 of the Fish and Wildlife Coordination Act.

Public fishing and hunting on project lands could be assured during project construction and operation if the boundaries of federally-acquired lands were delineated and marked conspicuously immediately after purchase.

RECOMMENDATIONS

It is recommended:

1. That minimum instantaneous releases from Skiatook Dam of 10 second-feet be made during the months of April through October and 5 second-feet during the months of November through March.
2. That a berm or other suitable type fishing platform with guardrails be installed on or near the retaining wall overlooking the stilling basin to help assure fisherman safety and to facilitate additional fishing in the stilling basin area. Cost of the facility would be insignificant if provisions for such were included in the initial design of the dam.
3. That provision be included in plans for project operation for water-level manipulation as an aid to fishery management; provided that such manipulations are consonant with the best interests of all project purposes.
4. That the project plan of operation include three cleared and charted seining areas totaling approximately 300 acres in the general locations indicated on Plates III and IV. Additional costs for clearing are estimated to be \$4,500.
5. That one of the presently planned public access areas be relocated in the upper end of the reservoir. The cost for relocating the access area would be insignificant.
6. That, in the interest of public safety and to insure that adequate areas will be available for fishing, hunting, and other wildlife purposes without conflicting uses for general recreation, a reservoir zoning plan be developed cooperatively by the Corps of Engineers, the Oklahoma Department of Wildlife Conservation, and the Oklahoma Planning and Resources Board.
7. That, to mitigate losses to upland-game hunting resulting from construction of Skiatook and Birch Dams and to enhance upland-game hunting, approximately 1,000 acres of land as delineated on Plate V be acquired and developed at project expense and be made available to the Oklahoma

Department of Wildlife Conservation under the terms of a General Plan as provided in Section 3 of the Fish and Wildlife Coordination Act, and that annual operation and maintenance costs be funded by the project. It is estimated that the cost of lands would be about \$500,000, the cost of initial development would be about \$57,000, and annual operation and maintenance costs would be \$10,000.

8. That project purchased lands be clearly marked by the Corps of Engineers immediately following acquisition so as to delineate those areas open to hunting and fishing and other public uses.

CONCLUSIONS

Construction and operation of the Skiatook Reservoir will provide moderate quality fishing. Sport fishing benefits of 55,400 man-days valued at \$55,400 annually can be attributed to the project. The reservoir will, however, inundate about 26 miles of stream habitat.

Approximately 200,000 pounds of commercial fishes will be harvested from the reservoir for a benefit of \$24,000 annually. In addition, the increased downstream flow regimen will improve stream habitat in Hominy and Bird Creeks and provide for an increase in the commercial minnow fishery of 80 gallons for a benefit of about \$600 annually.

Losses of 400, 600, and 2,100 man-days of big-game, upland-game, and fur-animal hunting, respectively, will result from habitat inundation and from land-use changes resulting from increased flood protection. The take of fur-animal pelts will be reduced by 200 annually. There will be an increase of 400 man-days of waterfowl hunting valued at \$1,600 annually.

Provision of minimum instantaneous releases, as discussed in Recommendation No. 1, would enhance the stream fishing in Hominy and Bird Creeks and would provide for increased fishing in the stilling basin. The releases would provide for an additional 6,500 fisherman-days valued at \$6,500 annually. The improved streamflow conditions would also increase the commercial minnow catch by 50 gallons valued at \$400 annually.

The inclusion of Recommendation No. 2 would promote safer and more efficient fisherman use of the reservoir stilling basin area and would increase fishing by 1,000 man-days, thus providing a benefit of approximately \$1,000 annually.

Recommendations No. 3 and No. 4 would provide significant sport and commercial fishery benefits. A water-level management program would provide an additional 16,000 man-days of sport fishing valued at \$16,000 annually and an increased harvest of commercial fish of 280,000 pounds valued at \$16,800 per year. Cleared and charted seining areas would provide for an additional 100,000 pound harvest of commercial fish valued at \$6,000 annually.

Provision of a public access site and boat-launching ramp in the upper reaches of the Skiatook Reservoir, as presented in Recommendation No. 5, would result in increased fishing in the reservoir. Such access would provide an additional 1,500 man-days of sport fishing valued at \$1,500 annually.

An adequate reservoir zoning plan, as proposed in Recommendation No. 6, would assure that certain areas of the reservoir would be reserved for fishing and hunting. Adoption of an adequate zoning plan would result in additional fishing benefits and increased public safety.

Upland-game hunting losses resulting from inundation of habitat and land-use changes associated with flood protection would be compensated for by acquisition and development of the wildlife management area as described in Recommendation No. 7. The management area would provide an additional 2,600 man-days of upland-game hunting for a benefit of \$2,800 annually.

The marking of project lands immediately following acquisition, as advocated in Recommendation No. 8, would insure realization of fishing and hunting benefits attributed to the project.

This report is based on information provided by your office prior to October 23, 1965, and is subject to change upon receipt of additional project information.

The cooperation extended to us by your staff during our investigation is appreciated.

Sincerely yours,


John C. Gatlin
Regional Director

Enclosure

Copies (10)

Distribution:

- (4) Director, Oklahoma Department of Wildlife Conservation,
Oklahoma City, Oklahoma
- (2) Regional Director, Bureau of Commercial Fisheries, Region 4,
Ann Arbor, Michigan
- (1) Regional Engineer, Public Health Service, Region 7, Dallas, Texas
- (1) Administrator, Southwestern Power Administration, Tulsa, Okla.
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- (1) Regional Coordinator, Southwest Field Committee, USDI,
Muskogee, Oklahoma
- (2) Regional Director, National Park Service, Southwest Region,
Santa Fe, New Mexico
- (2) Field Supervisor, Division of River Basin Studies, Bureau of
Sport Fisheries and Wildlife, Tulsa, Oklahoma

SKIATOOK LAKE
HOMINY CREEK, OKLAHOMA

SUPPLEMENT NO. 2
TO
DESIGN MEMORANDUM NO. 2
GENERAL DESIGN

1. Purpose. - This supplement presents a U.S. Fish and Wildlife Service report on Skiatook Lake and Tulsa District comments thereto.

2. Report. - The U.S. Fish and Wildlife Service submitted a letter report dated 8 February 1966, pertaining to the authorized Skiatook Dam and Lake. This report recommended that project-caused wildlife losses associated with Birch and Candy Lakes should be mitigated in conjunction with mitigation of project-caused wildlife losses at Skiatook Lake. The report proposed acquisition of about 1,000 acres of land downstream from the damsite to be developed for wildlife management purposes. Tulsa District evaluated this proposal, as shown in Supplement No. 1, dated 21 December 1966, recognizing the possible intangible, social, and environmental benefits that might accrue and found acquisition of additional lands in fee and development of the wildlife area was not considered feasible. The U.S. Fish and Wildlife Service more recently investigated the project and found two areas of project lands suitable for an alternative plan of wildlife mitigation. These proposals were furnished to the District in a supplemental letter report dated 12 February 1975. Copy of this report is inclosed as exhibit A.

3. U.S. Fish and Wildlife Service recommendations and Tulsa District comments.

a. Recommendation No. 1. - About 2,350 acres of project land in two units, one on the upper mainstem of Hominy Creek and the other on the arm of Bull Creek, be made available to the Oklahoma Department of Wildlife Conservation for administration and management under the terms of a General Plan as provided in Section 3 of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Comment. - Lands that are available for wildlife management purposes that have been requested by the Oklahoma Department of Wildlife Conservation will be considered for administration by this agency under the terms of a General Plan as provided in Section 3 of the Fish and Wildlife Coordination Act to provide compensation for project-caused wildlife losses. Approximately 2,380 acres will be available for this purpose. The mainstem unit contains 1,380 acres to be purchased in fee and 1,000 acres will be purchased in fee along Bull Creek.

b. Recommendation No. 2. - All project land in the above two proposed mitigation units be purchased in fee rather than in flowage easement.

Comment. - The fee purchase line for the lake area is based on a blocked perimeter encompassing the acquisition guideline, elevation 734.0 feet, with a minimum distance of 300 feet measured horizontally from the top of the conservation pool, elevation 714.0. Small flowage easements were taken over land below the acquisition guideline in the two requested areas. These easements are located in the extreme reaches of smaller tributaries and possess no wildlife management potential because of their size and terrain. A total of 2,380 acres will be purchased in fee in the two units described in the recommendation.

c. Recommendation No. 3. - Funds in the amount of \$246,300 be made available to the U.S. Fish and Wildlife Service to cover the costs incurred by the Oklahoma Department of Wildlife Conservation for initial development of the wildlife mitigation areas, and the sum of \$3,000 be obligated on an annual basis to help defray maintenance and replacement costs.

Comment. - The \$246,300 as recommended should be revised. Recently boundary fencing as described has become a project feature and is not listed as a mitigation cost. Neither does the District agree to the administration costs included in the proposal. Thus, this recommendation is evaluated deleting these costs and using a revised mitigation cost of \$123,400 for first development (tables 1 and 2). Wildlife losses and values for the three lakes as determined under SD97 are as follows:

	Birch and Skiatook (average annual man days)	Candy (average annual man days)	Total	Value \$	Total \$
Big game	400	-	400	6.00	2,400
Upland game	850	400	1,250	5.00	6,250
Fur animals	2,100	-	2,100	4.50	9,450
Waterfowl	50	-	50	4.50	225
Other wildlife	-	100	100	1.50	150
Total					18,475

With the proposed development plan the Service reports that about 25 percent of big game, upland game, and other wildlife hunting losses would be mitigated. Waterfowl hunting losses would be fully mitigated. Furbearers were not mentioned, so it is assumed those losses would be fully mitigated. Mitigable losses are as follows:

	<u>Birch and Skiatook</u>	<u>Candy</u>	<u>Total</u>	<u>Value</u>
Big game	100	-	100	100 x \$6.00 = \$600
Upland game	212.5	100	312.5	313 x \$5.00 = 1,565
Fur animals (pelts)	2,100	-	2,100	2,100 x \$4.50 = 9,450
Waterfowl	50	-	50	50 x \$4.50 = 225
Other wildlife	-	25	25	25 x \$1.50 = 38
Total				\$11,878

TABLE 1

ESTIMATED DEVELOPMENT COSTS FOR PROPOSED
HOMINY CREEK WILDLIFE MANAGEMENT AREA

<u>Item and quantity</u>	<u>Cost</u>
	\$
Boundary marking and signs	:
2 large signs @ \$500 each	: 1,000
20 small signs @ \$5.00 each	: 100
Roads and improvements	:
1 mile new gravel road @ \$30,000/mile	:30,000
1 mile gravel road improvement @ \$18,000/mile	:18,000
5 parking lots w/6-inch gravel base, 1/8 acre in size @ \$1,400 each	: 7,000
Habitat improvement	:
Shrub and vine plantings, strip clearing, food plots, etc.	: 5,000
Contingencies	:18,100
Engineering and planning	:11,800
Total	:91,000

TABLE 2

ESTIMATED DEVELOPMENT COSTS FOR PROPOSED
BULL CREEK WILDLIFE MANAGEMENT AREA

Item and quantity	: Cost
	:
Boundary marking and signs	:
2 large signs @ \$500 each	: 1,000
20 small signs @ \$5.00 each	: 100
	:
Roads and improvements	:
0.5 mile gravel road improvement @ \$18,000/mile	: 9,000
3 parking lots w/6-inch gravel base, 1/8 acre in size @ \$1,400 each	: 4,200
	:
Habitat improvement	:
Shrub and vine plantings, strip clearing, food plots, etc.	: 5,000
	:
Contingencies	: 7,900
	:
Engineering and planning	: 5,200
	:
Total	: 32,400
	:

A summary of annual charges for the proposed plan follows:

First cost	\$123,400
Annual charges, interest, and amortization at 3-1/8 percent	4,042
Operation and maintenance	<u>3,000</u>
Cost - Total annual charges	\$7,042

With annual charges of \$7,042 including operation and maintenance cost of \$3,000, the proposal has a benefit-to-cost ratio of 1.6 to 1. Thus, the proposal appears implementable. Funds in the amount of \$123,400 will be made available to the Oklahoma Department of Wildlife Conservation for development of the wildlife management area contingent upon the development of a mitigation plan mutually acceptable to the Service, the Department, and the Corps. However, current Corps policy does not allow annual funding to the State for operation and maintenance; therefore, the \$3,000 recommended cannot be provided.

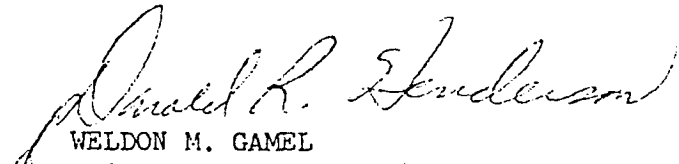
d. Recommendation No. 4. - The timing of the General Plan be adjusted as much as is possible to allow the Oklahoma Department of

Wildlife Conservation to fence the mitigation areas shortly after the Government survey is made and the lands are acquired.

Comment. - Fencing to be accomplished as a project feature during construction would be compatible with the requirements for fencing of the management areas. If any crossfencing in the management area would be necessary, it would be the responsibility of the Oklahoma Department of Wildlife Conservation and it would be a minor item. The General Plan will be initiated as soon as possible following acquisition of project lands.

4. Summary. - Available project lands will be made available to the Oklahoma Department of Wildlife Conservation for wildlife management purposes under the terms of a General Plan. Approximately 2,380 acres will be purchased in fee as recommended. Funds in the amount of \$123,400 will be transferred to the Department for development of the wildlife area contingent upon the development of a mitigation plan mutually acceptable to the Service, the Department, and the Corps. The above items in addition to the boundary fence to be provided as a project feature will satisfy the recommendations for mitigation except for the \$3,000 annual operation and maintenance costs listed in recommendation No. 3.

FOR THE DISTRICT ENGINEER:


WELDON M. GAMEL
Chief, Engineering Division

SKIATOOK LAKE
HOMINY CREEK, OKLAHOMA

SUPPLEMENT NO. 2
TO
DESIGN MEMORANDUM NO. 2
GENERAL DESIGN

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2. Report. - The U.S. Fish and Wildlife Service submitted a letter report dated 8 February 1966, pertaining to the authorized Skiatook Dam and Lake. This report recommended that project-caused wildlife losses associated with Birch and Candy Lakes should be mitigated in conjunction with mitigation of project-caused wildlife losses at Skiatook Lake. The report proposed acquisition of about 1,000 acres of land downstream from the damsite to be developed for wildlife management purposes. Tulsa District evaluated this proposal, as shown in Supplement No. 1, dated 21 December 1966, recognizing the possible intangible, social, and environmental benefits that might accrue and found acquisition of additional lands in fee and development of the wildlife area was not considered feasible. The U.S. Fish and Wildlife Service more recently investigated the project and found two areas of project lands suitable for an alternative plan of wildlife mitigation. These proposals were furnished to the District in a supplemental letter report dated 12 February 1975. Copy of this report is inclosed as exhibit A.

3. U.S. Fish and Wildlife Service recommendations and Tulsa District comments.

a. Recommendation No. 1. - About 2,350 acres of project land in two units, one on the upper mainstem of Hominy Creek and the other on the arm of Bull Creek, be made available to the Oklahoma Department of Wildlife Conservation for administration and management under the terms of a General Plan as provided in Section 3 of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Comment. - Lands that are available for wildlife management purposes that have been requested by the Oklahoma Department of Wildlife Conservation will be considered for administration by this agency under the terms of a General Plan as provided in Section 3 of the Fish and Wildlife Coordination Act to provide compensation for project-caused wildlife losses. Approximately 2,380 acres will be available for this purpose. The mainstem unit contains 1,380 acres to be purchased in fee and 1,000 acres will be purchased in fee along Bull Creek.

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Comment. - The fee purchase line for the lake area is based on a blocked perimeter encompassing the acquisition guideline, elevation 734.0 feet, with a minimum distance of 300 feet measured horizontally from the top of the conservation pool, elevation 714.0. Small flowage easements were taken over land below the acquisition guideline in the two requested areas. These easements are located in the extreme reaches of smaller tributaries and possess no wildlife management potential because of their size and terrain. A total of 2,380 acres will be purchased in fee in the two units described in the recommendation.

c. Recommendation No. 3. - Funds in the amount of \$246,300 be made available to the U.S. Fish and Wildlife Service to cover the costs incurred by the Oklahoma Department of Wildlife Conservation for initial development of the wildlife mitigation areas, and the sum of \$3,000 be obligated on an annual basis to help defray maintenance and replacement costs.

Comment. - The \$246,300 as recommended should be revised. Recently boundary fencing as described has become a project feature and is not listed as a mitigation cost. Neither does the District agree to the administration costs included in the proposal. Thus, this recommendation is evaluated deleting these costs and using a revised mitigation cost of \$123,400 for first development (tables 1 and 2). Wildlife losses and values for the three lakes as determined under SD97 are as follows:

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	:
Habitat improvement	:
Shrub and vine plantings, strip clearing, food plots, etc.	: 5,000
	:
Contingencies	:18,100
	:
Engineering and planning	:11,800
	:
Total	:91,000
	:

EXHIBIT A

U.S. DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

SUPPLEMENTAL REPORT

EXHIBIT



UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

RB

POST OFFICE BOX 1303
ALEBUQUERQUE, NEW MEXICO 87103

February 12, 1975

District Engineer
Corps of Engineers, U. S. Army
Post Office Box 61
Tulsa, Oklahoma 74102

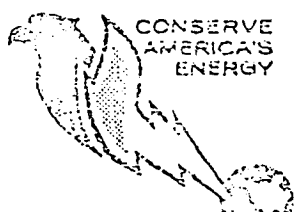
Dear Sir:

This letter is a supplement to the U. S. Fish and Wildlife Service's report of February 8, 1966, pertaining to the authorized Skiatook Dam and Lake Project on Hominy Creek in Osage County, Oklahoma. Recent flooding problems along Bird Creek have stimulated an accelerated construction schedule for Skiatook, Birch, and Candy Lakes. Acquisition guide lines now are definite and some lands are being acquired at Skiatook and Birch Lakes. Continuing coordination among the Corps, the Service, and the Oklahoma Department of Wildlife Conservation and ongoing technical assistance by the Service have revealed several wildlife-related matters which need clarification. Thus, the Service has reexamined the Skiatook, Birch, and Candy Lake projects and finds it necessary to revise and update our earlier report on Skiatook Lake.

Our report on Birch and Candy Lakes, dated June 22, 1964, and March 31, 1970, respectively, did not recommend land acquisition or the use of project lands at these project sites for wildlife mitigation. It was the conclusion of these reports that the best opportunity for wildlife mitigation would be found at the Skiatook Lake site and that the combined mitigation needs for all three projects would be met at this reservoir. The purpose of the present report supplement is to provide a revised plan for the accomplishment of this objective.

The fish and wildlife plans and recommendations presented in the Birch Lake and Candy Lake reports remain applicable and are in no way modified by the provisions of this supplemental report on Skiatook Lake.

This report supplement has been prepared under the authority of and in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended, 16 U.S.C. 661 et seq.).



Save Energy and You Serve America!

We have worked closely with the Oklahoma Department of Wildlife Conservation on the revised fish and wildlife plans and recommendations contained herein, and this report also has the concurrence of that Department as indicated by the enclosed letter dated February 3, 1975, and signed by Director I. H. Standefer.

To insure preservation of downstream fishery resources during initial years of project operation and during the scheduled low-flow period of December to June, we recommended in our report of February 3, 1966, minimum instantaneous releases from Skiatook Dam of 5 second-feet during the months of November through March, and 10 second-feet during the months of April through October. In a letter dated October 23, 1970, and signed by Mr. M. W. DeGeer, the Corps stated that present project plans provided for a 5 second-foot minimum release with releases of more than 10 second-feet expected from March through September. We believe these flows will provide acceptable preservation of downstream fisheries and also maintain the aesthetic value of the stream.

In our 1966 report, we also indicated our belief that project-caused wildlife losses associated with Birch and Candy Lakes should be mitigated in conjunction with mitigation of project-caused wildlife losses associated with Skiatook Lake. Recommendation No. 7 of that report proposed the acquisition of approximately 1,000 acres of land downstream from the damsite for a game management area. This area, as planned, would have had a potential capability of mitigating the combined man-day hunting losses of Birch and Skiatook Lakes. These combined hunting losses were estimated to be 400 man-days of big-game hunting, 850 man-days of upland-game hunting, 50 man-days of waterfowl hunting, and 2,100 man-days of other wildlife hunting. The 1,000-acre area would have provided 3,200 man-days of upland-game hunting.

A subsequent letter report of the Fish and Wildlife Service, dated March 31, 1970, set project-caused wildlife hunting losses at the proposed Candy Lake site at 400 man-days of upland-game hunting and 100 man-days of other wildlife hunting.

In a letter dated October 23, 1970, the Corps evaluated the annual cost of the 1,000-acre area at \$28,000 and calculated that it would cost \$8.81 to provide one man-day of upland-game hunting. The Corps considered this cost excessive in comparison with values contained in Supplement No. 1 to Senate Document No. 97 and, therefore, rejected the recommendation on grounds of economic infeasibility. Because of this rejection and because our recent investigations have revealed two areas of Skiatook Lake Project lands with good

wildlife potential, we believe that a suitable alternative plan of wildlife mitigation based on these two project areas would be possible.

The tentative formulation of project boundaries encompassing acquisition guideline elevation 734.0 feet aided greatly in determining the extent and character of project lands lying above the conservation pool level. Representatives of the Service, the Corps of Engineers, and the Oklahoma Department of Wildlife Conservation agree that provision for an alternate plan of mitigation, although such a plan represents a compromise which is less than ideal, would be preferable to simply including project-caused wildlife losses as a cost to the project.

Between the top of the Skiatook Lake conservation pool at elevation 714.0 ^{1/} and the acquisition guideline contour at elevation 734.0 there will be approximately 4,820 acres of project land surrounding the reservoir having wildlife value. Of this total, 2,350 acres in two separate units would be suitable for use as a wildlife management area. One unit, 1,500 acres in size, is located along the upper mainstem of Hominy Creek, about three miles east of Hominy, Oklahoma (Plate 1). The other area, 850 acres in size, is located on Bull Creek along the north border of the proposed lake site (Plate 2). Project land in these two units should be made available to the Oklahoma Department of Wildlife Conservation for wildlife management purposes under the terms of a General Plan as provided in Section 3 of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.). All land in these proposed mitigation units should be acquired in fee rather than in flowage easement, thus insuring the maximum availability of land for wildlife management.

To increase wildlife carrying capacity and mitigate project-caused wildlife hunting losses, intensive development and management of game habitat types on the two units will be necessary. Such development would include boundary marking and fencing, road and parking lot construction, permanent habitat plantings, and sharecropping arrangements for annual food plots. We believe that the initial Government survey will be sufficient to allow fence construction, thus alleviating the need for an additional boundary survey at a later date. If the Oklahoma Department of Wildlife Conservation is able to initiate fencing as soon as possible upon completion of the acquisition of project land and before the boundary markers are either lost or destroyed, fencing costs will be minimized. To insure that this is possible, the General Plan should be scheduled at the earliest practicable date.

^{1/} All elevations are in feet and refer to mean sea level datum.

Initial development of the two wildlife management units should be at project cost, but would be accomplished by the Oklahoma Department of Wildlife Conservation. This initial development is estimated to cost \$246,300, and funds in this amount should be made available to the U. S. Fish and Wildlife Service to reimburse the Oklahoma Department of Wildlife Conservation for the costs incurred by that Department. At least part of the recurring costs of maintenance and replacement should be carried by the project. Therefore, it is proposed that \$3,000 be obligated on an annual basis to help defray this expense. Cost estimates for the two management units are based on 1974 prices and are summarized in the appended Tables 1 and 2.

The wildlife mitigation proposal described above would compensate for about 25 percent of big game, upland game, and other wildlife hunting losses, and fully mitigate waterfowl hunting losses, at the three reservoirs. It would not offset the loss of irreplaceable bottomland habitat. Nevertheless, it is adjudged to be about the best that could be accomplished without the acquisition, development, and management of additional lands.

Therefore it is recommended that:

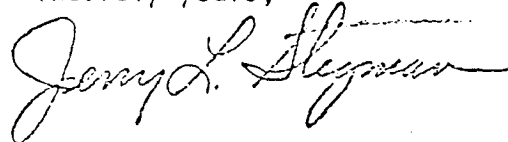
1. About 2,350 acres of project land in two units, one on the upper mainstem of Hominy Creek and the other on the arm of Bull Creek, be made available to the Oklahoma Department of Wildlife Conservation for administration and management under the terms of a General Plan as provided in Section 3 of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).
2. All project land in the above two proposed mitigation units be purchased in fee rather than in flowage easement.
3. Funds in the amount of \$246,300 be made available to the U. S. Fish and Wildlife Service to cover the costs incurred by the Oklahoma Department of Wildlife Conservation for initial development of the wildlife mitigation areas, and the sum of \$3,000 be obligated on an annual basis to help defray maintenance and replacement costs.
4. The timing of the General Plan be adjusted as much as is possible to allow the Oklahoma Department of Wildlife Conservation to fence the mitigation areas shortly after the Government survey is made and the lands are acquired.

Recommendations Nos. 1 and 2 provide for the establishment on project lands of a wildlife mitigation area, comprised of two separate units, to be administered by the Oklahoma Department of Wildlife Conservation. These two recommendations replace Recommendation No. 7 of our February 8, 1966, report.

Recommendation No. 3, above, pertains to funding allocations for the game management area, while implementation of Recommendation No. 4 is intended to expedite the fencing of the mitigation area as a cost reduction measure.

Thank you for the opportunity to comment on the revised planning data for the Skiatook Lake Project.

Sincerely yours,



Deputy Regional Director

Enclosure

Copies (10)

Distribution:

- (5) Director, Oklahoma Dept. of Wild. Consv., Oklahoma City, Okla.
- (2) Regional Director, Nat'l Mar. Fish. Serv., St. Petersburg, Fla.
- (1) Regional Director, BOR, Albuquerque, N. Mex.
- (2) Regional Administrator, EPA, Reg. VI, Dallas, Tex.
- (1) Special Asst. to the Secretary, USDI, SW Reg., Albuquerque, N. Mex.
- (2) Field Suprv., FWS, Div. of River Basin Studies, Tulsa, Okla.

Table 1. Estimated Development Costs for the Proposed
Hominy Creek Wildlife Management Area

Item and Quantity	Cost
Fencing	
16 miles @ \$3,000/mile	\$48,000
2 gates @ \$500 each	1,000
7 cattle guards @ \$1,500 each	10,500
Boundary marking & signs	
2 large signs @ \$500 each	1,000
20 small signs @ \$5.00 each	100
Roads and improvements	
1 mile new gravel road @ \$30,000/mile	30,000
1 mile gravel road improvement @ \$18,000/mile	18,000
5 parking lots w/6-inch gravel base, 1/8 acre in size @ \$1,400 each	7,000
Habitat improvement	
Shrub and vine plantings, strip clearing, food plots, et cetera	5,000
Contingencies	18,100
Engineering and planning	11,800
Administration*	20,800
Total	\$171,300

* U. S. Fish and Wildlife Service administrative cost included.

Table 2. Estimated Development Costs for the Proposed
Bull Creek Wildlife Management Area

Item and Quantity	Cost
Fencing	
10 miles @ \$3,000/mile	\$30,000
1 gate @ \$500 each	500
2 cattle guards @ \$1,500 each	3,000
Boundary marking & signs	
2 large signs @ \$500 each	1,000
20 small signs @ \$5.00 each	100
Roads and improvements	
0.5 miles gravel road improvement @ \$18,000/mile	9,000
3 parking lots w/6-inch gravel base, 1/8 acre in size @ \$1,400 each	4,200
Habitat improvement	
Shrub and vine plantings, strip clearing, food plots, et cetera	5,000
Contingencies	7,900
Engineering and planning	5,200
Administration*	<u>9,100</u>
Total	\$75,000

*U. S. Fish and Wildlife Service administrative cost included.

VATION COMMISSION

MERVIN LAWVER CHAIRMAN	JACK C. PARISH MEMBER
WILLIS LANGDEN VICE CHAIRMAN	H. B. VAN PELT MEMBER
LYNDOLE FRY SECRETARY	"H.B." ATKINSON MEMBER
ELMER A. VIETH MEMBER	ELLIS HOLLY MEMBER



DEPARTMENT OF WILDLIFE CONSERVATION

1801 N. LINCOLN

P.O. BOX 53455

OKLAHOMA CITY, OK. 73105

PH. 521-2

MUTT STANDEFER, DIRECTOR

GEORGE WINT, ASSISTANT DIRECTOR

GARLAND FLETCHER, ASSISTANT DIRECTOR

February 3, 1975

Mr. W. O. Nelson, Regional Director
Fish and Wildlife Service
Post Office Box 1306
Albuquerque, New Mexico 87103

Dear Mr. Nelson:

This is to inform you that we have reviewed your draft report dated December 6, 1974, on Hominy Creek, Osage County, Oklahoma, to be known as Skiatook Reservoir, and we concur with the report.

Thank you for the opportunity to comment.

Sincerely,

Mutt Standefer
Mutt Standefer
Director

cc: Sidney Wilkirson

APPENDIX F

Public Workshop and Draft EA
Public Comments

Affidavit Of Publication

SKIATOOK JOURNAL

STATE OF OKLAHOMA, TULSA COUNTY, ss:

Bill R. Retherford, of lawful age, being duly sworn and authorized, says that he is the publisher of the Skiatook Journal, a weekly newspaper published in the Town of Skiatook, Tulsa County, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971 and 1983 as amended, and thereafter, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the following dates:

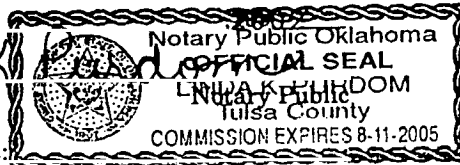
April 10, 17, 24 May 1, 8, 15, 2002

Bill R. Retherford

Subscribed and sworn to before me this 16

day of May

Linda K. Retherford



My Commission expires:

PUBLISHER'S FEE \$ 155.55

Published in the Skiatook Journal, Tulsa and Osage Counties, Oklahoma, April 10, 17 & 24, May 1, 8 & 15, 2002.

NOTICE OF PUBLIC WORKSHOP

The Skiatook Economic Development Authority has scheduled a public workshop for Wednesday, May 15, 2002, from 12:00 noon to 8:00 p.m. in the Municipal Boardroom, 120 South Broadway, Skiatook, Oklahoma, to receive public comments regarding a proposed development on Corps of Engineers property at Skiatook Lake.

Staff will be available at the workshop during the scheduled hours to review proposed development plans with any interested citizens. The public may attend at any time during the scheduled hours, no reservation or appointment is needed.

Dated this 5th day of April, 2002.

Public Information Workshop; CrossTimbers project

1. On May 15, 2002, the Skiatook Economic Development Authority (SEDA) held an information workshop at the Skiatook Community Center, Skiatook, Oklahoma to inform the public about its plans to lease land at Skiatook Lake and subsequently sublease it to Statesource, L.L.C. for development. The workshop was open to the public from 12:00 noon to 8:00 PM. The workshop was also intended to solicit questions and concerns from the public about the project. The project is planned to be located on federal lands and leased by SEDA. Therefore federal law requires NEPA documentation for the project.

2. A copy of the Affidavit of Publication and the Skiatook Journal newspaper story are also contained in Appendix D following this summary. In addition to this written notice, Blu Hulsey, Town Coordinator and SECA Chairman, announced the planned workshop at Skiatook Chamber of Commerce and Skiatook Lake Association meetings.

3. The workshop was an open house format consisting of information tables accompanied by poster type displays. A computer "powerpoint" presentation was continuously shown throughout the presentation. Personnel from SEDA, Statesource, Corps of Engineers, OSU-Tulsa, and Alexander Consultants were available to answer questions and discuss the proposed project. The open house format allowed people to come in when their schedule allowed and to have their questions answered and concerns communicated.

4. Participation was as follows:

- a. SEDA
 - i. Mr. Blu Haulsey
 - ii. Mr. Bill Green
 - iii. Mr. Bob Bruning
 - iv. Dr. Scott Carlson
 - v. Mr. Don Branscom
 - vi. Mr. Don Billets
 - vii. Mr. Cliff Taylor
- b. Statesource
 - i. Mr. Ron Howell
 - ii. Mr. Kevin Coutant
- c. Corps of Engineers
 - i. Mr. Jeffrey London
 - ii. Mr. Greg Bersche
 - iii. Mr. John Tennery
 - iv. Ms. Pam Kelley
- d. Alexander Consulting
 - i. Dr. Tom Alexander
- e. OSU-Tulsa

- i. Dr. John Lamberton
- f. Osage County
 - i. Mr. Scott Hilton

5. Over 65 attendees signed the sign-in sheet, which was at the primary entrance to the meeting room. It appeared that a significant number of additional people attended but did not choose to sign-in. The sign-in list is provided in Attachment D following this summary.

6. The workshop was characterized by a very open environment for asking questions of the numerous representatives. Many attendees stayed for lengthy periods while a few simply reviewed the materials and left. Most, however, interacted with the numerous representatives and received informed answers to their many questions. The questions asked and issues raised were in the following categories: selection of lake, water quality, aesthetics, environmental assessment, project design, economics, and business.

- a. Selection of lake
 - i. Lake Skiatook was selected as a pilot lake under the Federal Lakes Recreation Demonstration Laboratory as part of the National Partnership for Reinventing Government. This program was established to provide a way of increasing recreation facilities at government owned lakes through a federal-public-private partnership.
- b. Water Quality
 - i. Water quality is of utmost importance to this project. The golf course is being designed to control runoff from reaching the lake. The marina will be built and operated in accordance with all federal, state, and local laws. An Environmental Manage Plan is being incorporated into planning, construction, and operation of all proposed parts of the project.
- c. Aesthetics
 - i. The proposed CrossTimbers project is being planned to be in harmony with the Lake Skiatook area. Other high quality projects have been used as templates in the planning of the proposed facilities. Heckenkemper Golf Course Design, who has recently built a "target golf" course on federal land at Lake Texoma, is designing the golf course.
- d. Project Design
 - i. As stated in the answer above, the proposed CrossTimbers project is being designed to be in harmony with its surroundings. All improvements will require the review and approval of the Corps of Engineers and SEDA.
- e. Economics
 - i. The proposed project will bring a needed boost to the local area. Not only in its construction, but also in its operation. Increased recreational facilities will provide dollars to not only Skiatook

Lake area but also the surrounding cities. In addition, the operation of a quality project on the project lands will set a quality standard for the balance of the private development around the Lake.

f. Business

- i. A large number of business related questions were generated from this workshop. Since these questions fall outside of the Environmental Assessment scope, they are being answered directly.

Skiatook Economic Development Authority
Crosstimbers Project
Public Workshop
Sign In Sheet

Name	Address	State	Zip	Phone
Gary Varbrugh	VVEC	Collinsville		371 2584
Jerry Wagner	VVEC	Collinsville		371-2584
Dave Truelove	SKiatook		74070	396-3046
Clint Thoma	SKIATOOK		74070	396-0132
Sharon Burton	SKiatook		74070	396-2091
Beverly Collins	SKiatook		74070	396-4692
Tom Allen	SKiatook		74070	396-2091
Ken Taylor	14660 DORR DRIVE SKIATOOK, OK		74030	396-7600
Don Yancey	SKiatook		74070	396-4397
Paul Greenwood	SKiatook		74070	396-2626
Gray Benson	USACOE	SKiatook Lake Office		
Kim Berache		SKiatook		396 3544
Scott Hilt	SKiatook			396-2747
RD Williams	SKiatook			396-0200
Roger Tomlinson	SKiatook			396 4199
Kellie Tomlinson	SKiatook			396 4199

Note: This information is optional and will be used only for the purpose of the environmental investigations. Your name and address ONLY will be used to keep you informed of future events related to this project. If you do not wish to be included on the list, please note the wish next to your name. Thank you for coming today.

Skiatook Economic Development Authority
Crosstimbers Project
Public Workshop
Sign In Sheet

Name	Address	State Zip	Phone
Bob Brown	222 E. Beech	OK	395-2484
Johnny Rich	1310 N 55 th W Ave		396-4248
Jason Norrid	16102 N 103 rd Pl-W.		396-7856
Shawn D. Clement	10902 Burton Rd		396-3433
Don Branson	1020 N. Country Meadow Ln.		396-3084
John W. Pippin	PO Box 575		396- 1544
BOB MCINTYRE	1125 W 68 th AL		288-7757
Pantelly	COE - 1645 S 101 st E. Ave.		669-7698
MaryBeth Hudson	PAO 1645 S. 101 st E. Ave Tulsa, OK 74128		669-7361
RICHARD FREEMAN	"		669-7250
Martin Tucker	112 E Rogers		396-0248
John TENNERY	COE		669-7406
Richard A. Carter	HC67 Box 3500		396-4740
Mike Moyer	1807 S. Broadway Skiatook		396-2345
Jeff London			669-7571
Darlene Bricker	12345 Wells Drive - Skiatook		396-1986

Note: This information is optional and will be used only for the purpose of the environmental investigations. Your name and address ONLY will be used to keep you informed of future events related to this project. If you do not wish to be included on the list, please note the wish next to your name. Thank you for coming today.

Skiatook Economic Development Authority
Crosstimbers Project
Public Workshop
Sign In Sheet

Name	Address	State	Zip	Phone
JOHN NIELSEN	P.O. Box 399	OK	SKIA TOOK	918-396-2797
Brooks Lord	13550 W. 173 rd St	OK	SKIA TOOK	74070 918-396-0894
Scott & Kristie Carlson	5401 Sunset Rd	OK	SKIA TOOK	396-3225
Julie & Steve Guy		OK	TULSA	444-7718
Ron & Linda Miller		OK	SKIA TOOK	396-9868
Bob & Lavona Wyckoff	14650 Tiffany Ln	OK	SKIA TOOK	74070 396-7869
Jim Aesler	10890 W. Burton Ln	OK	SKIA TOOK	74070 396-7571
Beverly Taylor	14790 Chanel Lane	OK	SKIA TOOK	396-4346
Shayne Barton	601 W 5th	OK	SKIA TOOK	396-2715
Betty Barton	601 5th 5th	OK	SKIA TOOK	396-2715
Barbara Taylor	14660 Dior Dr	OK	SKIA TOOK	396-7600
Shantelle Sutton	11045 W 112 th Pl	OK	SKIA TOOK	396-4703
Roger Hunsman	14765 CHANEL LN.	OK	SKIA TOOK	396-3445
Kevin Stubbs	15501 N. 95th	OK	SKIA TOOK	396-1891

Note: This information is optional and will be used only for the purpose of the environmental investigations. Your name and address ONLY will be used to keep you informed of future events related to this project. If you do not wish to be included on the list, please note the wish next to your name. Thank you for coming today.

Skiatook Economic Development Authority
Crosstimbers Project
Public Workshop
Sign In Sheet

Name	Address	State	Zip	Phone
------	---------	-------	-----	-------

Robert M Butler	1714 S. Boston	Tulsa	74119	589-2251
Bob Ryan	303 E. 1st	Skiatook	396-2291	
JAY L. JONES III	COE			443-2250
Virginia M Bennett	P.O. Box 98	Skiatook	74020	396-0356
Sam Hunt	P.O. Box 9	SKIA TOOK OK	74070	396-1920
Jack Rankin	P.O. Box 96	Skiatook	74070	
Lynn Buzzard	Skiatook			
Sherril Puelan	SKIA TOOK	10807 W. Burton Lane		
Sp. Hawksworth	Skiatook	14765 Chanel Lane	74070	
AB Bayarlu	Skiatook	402 E. Oak		
Larry Harper	SKIA TOOK	74070	4201 W Country Rd	
Will Hulet	SKIA TOOK	74070		396-3134
Don D. [unclear]	Skiatook	74070		396-2345
Jay Deussen	Skiatook	74070		396-4346

Note: This information is optional and will be used only for the purpose of the environmental investigations. Your name and address ONLY will be used to keep you informed of future events related to this project. If you do not wish to be included on the list, please note the wish next to your name. Thank you for coming today.

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Dave Truelove
Address: H. C. 67 Box 343
City, State, and Zip: Skiatook OK 74070
Phone: 396-3484

- Are you a resident, property owner, or merchant in the vicinity of the project?

☒ Resident

☒ Property Owner

☒ Merchant

☐ Other _____

- Comments?

Glad to see your presentation.
I think this will be good for economic
development for the entire lake area
and the town of Skiatook. good luck!

Signature: David L. Truelove

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: JOHN NIELSEN
Address: P.O. BOX 399
City, State, and Zip: SKIATOOK OK
Phone: 918-396-2797

- Are you a resident, property owner, or merchant in the vicinity of the project?

☐ Resident

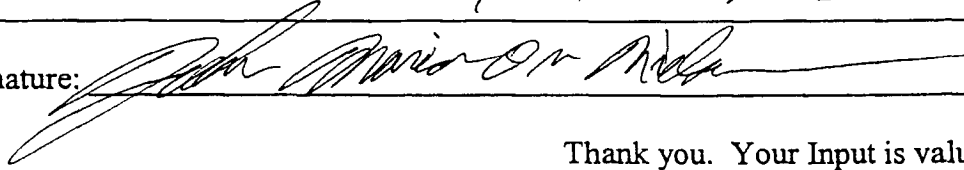
☐ Property Owner

☐ Merchant

☒ Other TRUSTEE

- Comments?

TRANSPORTATION IS VITAL, ROADS &
AIRPORT - INCLUDING TULSA INTERNATIONAL,
SKIATOOK MUNICIPAL (2F6). I AM A TRUSTEE TOWN OF
SKIATOOK AND A COMMERCIAL PILOT B-737ER.

Signature: 

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: OMAR Bayouh

Address: 608 Tallchief Ct

City, State, and Zip: Skiatook OK 74070

Phone: 394-2345

- Are you a resident, property owner, or merchant in the vicinity of the project?

☐ Resident

☐ Property Owner

☐ Merchant

☐ Other _____

- Comments?

We Need This !!

Signature: [Signature]

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: CLIFF TAYLOR

Address: 16210 Wind Hill CR.

City, State, and Zip: Skiatook, OK 74070

Phone: 376-0346

- Are you a resident, property owner, or merchant in the vicinity of the project?

☒ Resident

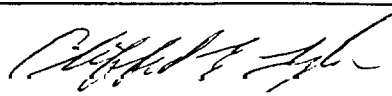
☒ Property Owner

☒ Merchant

☐ Other _____

- Comments?

THIS PROJECT IS VERY IMPORTANT TO
OUR AREA + WE SUPPORT IT 100%.

Signature: 

Thank you. Your Input is valuable.

- More room for comments on the back -

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Mike Mayer
Address: 1807 S. Broadway
City, State, and Zip: Skiatook Ok 74070
Phone: 918-396-2245

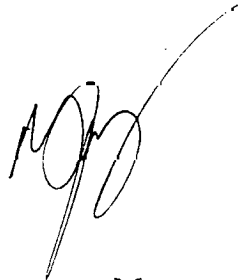
- Are you a resident, property owner, or merchant in the vicinity of the project?

☒ Resident ☒ Property Owner ☐ Merchant
☐ Other _____

- Comments?

need membership capability

Signature:



Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name:

DAN VANCE

Address:

PO Box 399

City, State, and Zip:

Skiatook, OK 74070

Phone:

918-396-9397

- Are you a resident, property owner, or merchant in the vicinity of the project?

☒ Resident

☒ Property Owner

☐ Merchant

☐ Other _____

- Comments?

IF THE PROJECT IS COMPLETED TO
THE SPECS OUTLINED IT WILL
BE A GREAT ASSET FOR SKIATOOK
AND THE STATE OF OKLAHOMA.

Signature:



Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Bob Ryan

Address: 303 E 1st

City, State, and Zip: Skiatook, OK
918

Phone: 396-2296

- Are you a resident, property owner, or merchant in the vicinity of the project?

☒ Resident


☐ Property Owner

☐ Merchant

☐ Other _____

- Comments?

this could be a great project and
show the way to a better way
to think about public recreation

Signature: 

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: ROGER WILLIAMS

Address: 110 E 136TH ST N

City, State, and Zip: SKIATOOK OK 74070

Phone: 396-0200

- Are you a resident, property owner, or merchant in the vicinity of the project?

☒ Resident

☒ Property Owner

☒ Merchant

☐ Other _____

- Comments?

IT WILL BE GOOD FOR THE AREA!

Signature: Roger D. Williams

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Jim & Sharon Burton

Address: P.O. Box 669

City, State, and Zip: Skiatook, OK 74070

Phone: 918-396-2091

- Are you a resident, property owner, or merchant in the vicinity of the project?

☒ Resident

☒ Property Owner

☐ Merchant

☐ Other _____

- Comments?

Great!!

Signature: Sharon Burton

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Carol J. Mitchell
Address: 14630 Valley View Drive
City, State, and Zip: Skiatook, OK 74070
Phone: (918) 396-3796

- Are you a resident, property owner, or merchant in the vicinity of the project?

☐ Resident

☒ Property Owner

☐ Merchant

☐ Other _____

- Comments?

This sets a precedent for other groups to develop along the shoreline of Skiatook Lake as well as other "Corps-owned" Oklahoma lakes. You have chosen a serene, pristine
Signature: Carol J. Mitchell (over)

Thank you. Your input is valuable.

- More room for comments on the back-

lake to destroy. Why not develop on Oologah Lake so Oologah can grow? Is it not as lovely?

Outside builders put cost factor as a priority over wildlife, shoreline, natural beauty, and cleanliness of lake. The inevitable larger boats will maim the shoreline. Sewage drops must be properly installed, or we'll have the same problem as Grand Lake, for example.

From my Kitchen window and back deck I will view this development.. I pray we are not putting the almighty dollar over nature's rustic beauty!

Carol G. Mitchell

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Osage Log Homes

Address: P.O. Box 119 / 14630 Valleyview Drive

City, State, and Zip: Skiatook, Oklahoma

Phone: 918-396-3796 - / Fax 396-7262

- Are you a resident, property owner, or merchant in the vicinity of the project?

☒ Resident

☒ Property Owner

☒ Merchant

☐ Other _____

- Comments?

As a merchant, property owner, and
resident of Skiatook area since 1991, I
am very concerned with outside private
companies deciding the future development

Signature: Joe A. Mitchell, President OSH

Thank you. Your input is valuable.

- More room for comments on the back-

"over"

↓

of one of Oklahoma's most scenic lakes.
Questions that are of a major concern for
local merchant's should be the following:

- (1) Do local area merchant's have a chance to
profit in the creation of Cross Timber Village,
such as the rustic cabins?
- (2) Who is accountable in the event that
State Source L.L.C. is insolvent?
- (3) Will the local citizens and landowners
be given a concise project plan of surveys,
specs, and ecological requirements?
- (4) Could the present landowners of homes
bordering Corp land be offered the option of
buyout by State Source or the U.S. Corp if
they desire?

My present location in the Summit west
of Skiatook allows me to view the proposed area.
I hope that this project is not closed to me,
a businessman who sells log products.

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Sam Avant

Address: P.O. Box 9

City, State, and Zip: Skiatook, OK 74070

Phone: 396-1920

- Are you a resident, property owner, or merchant in the vicinity of the project?

☒ Resident

☐ Property Owner

☐ Merchant

☒ Other Long time Skiatook developer.

- Comments?

The idea of a Randy Heckenkemper designed golf course and a new
marina at our lake is welcome news. It would be good for the people
who live here and would draw both visitors and potential move ins to the
area. The proposed new camping and cabins would also be good.

Signature: Sam Avant Con't. on back

Thank you. Your Input is valuable.

- More room for comments on the back-

However, before the Town of Skiatook begins taking on any new subdivisions or developments that far west of town, I think it should consider what is presently here and how it could help the people who have developed and lived here for years. In the last several years new subdivisions have been developed in which the Town took a great deal of right of way from the developers and

does not seem to be capable of mowing and maintaing. New additions on Lombard, 133rd St. N. & Osage Ave. are good examples of where the Town

and the county have talked about deeping ditches, raising the road, (particularly south Lombard) and making all these areas drain better. Nothing has been done. The town should also consider that these projects west of the lake will not draw people toward the center of our town as it now stands.

A comprehensive plan to improve Oak Street from W. 52nd Ave. back to Lombard, then South to 133rd St. N. and over to Highway 11 should take priority over trying to provide expensive services to any developments at the lake.

Oak street in front of the Middle School should be the next commercially developed area for our Town instead of spreading it west all the way to

Hominy. The fact that the Town built a gravel sidewalk for kids along Oak St. almost 3 years ago & has not improved it any since is an embarrassment.

Also, if the Town cannot provide electricity and water to new developments it should not even begin to annex them.

Golf courses on their own cannot survive without development surrounding them.

The people who were listed at the public hearing as being involved with this project are developers who will never live in this area but would not be

investors without the high probability of development.

I am not against that, but I believe the people who have developed and built this

Town for years should have plenty of consideration for their problems before

we go bending over backwards to court outside developers.

CRYSTAL BAY MARINA INC.

HC67 BOX 3500
SKIATOOK, OK 74070

Phone 918-396-4240 EXT 202

May 15, 2002

The U.S Army Corps Of Engineers
Tulsa District
Tulsa, Oklahoma

Dear Sir

The following concerns about the project proposed for Tallchief Cove area need to be publicly addressed before a lease is given to the Town Of Skiatook (~~SEDA~~) or to any intity.

A complete disclosure of the names of the parties involved.

A complete disclosure of the financial position of each party.

A resource list of each investor.

Their name, address and the amount of investment.

A detailed business plan to include:

Plans and Specifications

Site Plans

Surveys

Ecological Survey

What changes will the project make for the people who currently use the lake for recreation?

What will the expected additonal use do to the water quality?

What additional shoreline erosion will be caused?

What will the end result be on the natural beauty of the Lake?

Archiological Survey

Economic Impact Study

To include survey from community on the desirability.

Tax and other revenue to Local and State Government.

Traffic flow in a 10 mile radius. (safety)

Shift in traffic from current routes. Hwy 11- Hwy 20 - Hwy 75

Impact to local business from the traffic pattern changes.

Impact to local Tax Revenues because of traffic pattern changes.

The amount of our Tax Dollars put into private business pocket

The equal amount of Tax dollars given to existing businesses.

If economic prosperity is lost to existing business, what surety is provided to compensate and insure their survival?

The fact is this: State Source & ^{CEDA}~~CLPA~~ have given the public little information about this proposal and what they have made public is weighted to reflect only their view and only the positive, while speculative points.

With the information provided to this date it is impossible for me or any Citizen of Skiatook, Sperry, or the Lake area to decide in favor or opposition to the proposal.

Secrecy and Non Disclosure have never been successful in the long term for our Government Representatives.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard L. Barton", with a long horizontal flourish extending to the right.

Richard L. Barton
Vp. Crystal Bay Marina Inc.

**EAST RIDGE ESTATES
HOMEOWNERS ASSOCIATION
SKIATOOK LAKE
OKLAHOMA**

Mailing Address:

P.O. Box 1055
Owasso, OK 74055

May 31, 2002

Mr. Blu Hulsey
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

Post-It® Fax Note 7671		Date	# of pages 4
To <i>Matt Albright</i>		From <i>Blu Hulsey</i>	
Co./Dept.		Co.	
Phone # <i>594-8281</i>		Phone #	
Fax #		Fax #	

Dear Blu Hulsey,

I am writing on behalf of the East Ridge Estates Homeowners Association. We are the neighborhood located immediately south of Skiatook Dam on the road to Sperry, Oklahoma. A recent article in the Skiatook Journal about the proposed development at the lake has concerned us. No homeowners of East Ridge Estates were contacted about the public workshop which was held on May 15, 2002. According to the Skiatook Journal article a large development plan was unveiled which directly effects our neighborhood.

As homeowners, we are not against sensible development in our area. However, we are very concerned with the proposed development at our shared Corps Of Engineer property lines and on our access road. Therefore, our Association requests a meeting with all appropriate parties in which the proposal will be reviewed, our questions addressed, and our input documented.

Attached you will find a copy of our association's letter to the Editor of the Skiatook Journal. We look forward to the Skiatook Economic Development Authority's (SEDA) response to these questions.

Sincerely,
The East Ridge Estates Homeowners Association



Kevin Clough

CC: W.E. (Bill) Green, Skiatook Economic Development Authority, RCB Bank
Jim Patrick, Skiatook Economic Development Authority, Exchange Bank
Cliff Taylor, Skiatook Economic Development Authority, Taylor Motors

May 30, 2002

TO: The Letter To The Editor Department, Skiatook Journal

FROM: The East Ridge Estates Homeowners Association

The families of East Ridge Estates, the neighborhood located immediately south of Skiatook Dam on the road to Sperry, offer this open letter in response to the Lake Development article which appeared in the May 22nd 2002 addition of the Skiatook Journal.

East Ridge Estates shares a property line with the U.S. Army Corps Of Engineers on the north and west sides. We are a neighborhood of over 125 lots and currently twelve homes. We believe in growth which benefits all residents. Well planned growth by the Lake can create much needed economic opportunity for Osage County and become an important part of Oklahoma Tourism. However, we each built our home in East Ridge Estates with the desire of retiring or raising our families in a safe rural neighborhood with opportunities for them to experience the beauty of nature.

We, as homeowners, are concerned with the lack of involvement of lake area residents in the proposed development. None of our homeowners nor our Homeowner Association was contacted at any time about this proposal. Therefore none of us were in attendance at the May 15, 2002 public workshop. Our first knowledge of the plan was from the Skiatook Journal article following the workshop. We do not want our lack of attendance at the meeting to be construed as support for the plan. In fact, we have requested a meeting with all appropriate parties so that we can better understand the proposal and voice our concerns. We are concerned as well that this project is moving along very quickly and in doing so potential problems and good ideas may not surface in time to be adequately considered.

Specifically The East Ridge Estates Homeowners issues with the proposed development of Skiatook Lake are:

1.) *Management of the Corp Land*

When we purchased our land, we understood that the Corp of Engineer land which forms a perimeter around Skiatook lake was to remain public recreational land. The proposal states that this public land would be leased by the Corps of Engineers to SEDA (Skiatook Economic Development Authority) which in turn would sub-lease it to a group called State Source. Would we then still have access to the lake? Will there be a fee to use the land? Who will maintain it? What will happen with easements? Could this property be sub-leased again? Can private citizens sub-lease this property?

2.) *Growth*

Over-commercialization and uncontrolled growth on the established Lake perimeter zone is a concern with the proposed development. We hope not to lose the habitat of the many fish and aquatic species which may be adversely effected by losing large tracts of shoreline in a very concentrated area. The game which inhabits these areas could also be driven further from their water source thus eliminating hunting and wildlife viewing.

3.) *Funding*

The source of funding for this development is not clear to us. If public funds are to be used, are they to be used in totality or in a matching form? With the use of public funds will a referendum be needed for this proposal? How much of the funding has already been secured? How much has to be secured before the next phase of the project begins? What is SEDA, are its members elected or appointed, how does one become a member, to what entity does SEDA answer and are their meetings open to the public?

4.) *Impact to the Skiatook Economy*

High density development in the area from Tall Chief Cove to Skiatook Point would seem to put an undue burden on local area infrastructure. The lake has 160 miles of shoreline and all of the proposed development is concentrated in the 4 or so miles near the dam. Will there be adequate law enforcement? How will the roads be maintained? What about emergency services?

SEDA must believe that this project will stimulate Skiatook's economy. However, won't Skiatook businesses be by-passed as tourists driving north from Tulsa or the airport take the 86th street exit to Skiatook Lake or the

proposed Northwest Passageway (Parkway)?

5.) Environment

The Environmental Impact Study (EIS) and National Environmental Policy Act (NEPA) which John Tennery mentioned in the article were reported to take up to two years to complete. Will the results of these studies be incorporated into the development plan? With the groundbreaking scheduled for 2003 it appears some of these studies would not be done in time to be useful.

6.) Pending Studies

Has the Oklahoma Water Resource Board completed its studies and given approval? Have there been feasibility studies issued on marina development and golf course development? Has Dr. John Lamberton, Oklahoma State University Environmental Management Programs, issued his business plan and market analysis? Has he completed his community surveys and environmental impact assessment? Will these findings be presented in a public forum?

We at East Ridge Estates ask to be a part of the development of this Osage County treasure, Skiatook Lake. As landowners residing near the lake, we feel our concerns are shared by many tax-paying citizens in the Sperry and Skiatook communities.

Sincerely,
East Ridge Estates Homeowners Association



Kevin Clough

Mailing Address:
P.O. Box 1055
Owasso, OK 74055



Frank Keating
Governor

May 7, 2002

Mr. Blu Hulsey-Chairman
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

Dear Mr. Hulsey,

I am writing to express both my support and enthusiasm for your lease from the Corps of Engineers of approximately 550 acres of land around Skiatook Lake. I understand this is for the purpose of joining with StateSource, L.L.C. in building and operating an eighteen hole championship golf course, marina, cabins, conference center and expanded camping area. Skiatook Lake is one of Oklahoma's cleanest and most beautiful lakes, and your development is very appropriate to recreational uses of this lake. Too often we have seen Corps lakes not able to develop to their true potential, and I am very pleased that Skiatook Lake has been selected in the Demo Labs program to be allowed to further develop. This lease and the subsequent economic development it will stimulate will go a long way toward building the economy around the City of Skiatook and Osage County. It has long been my view that the northeast corner of our state needs a first class resort development, and I understand that is what Crosstimbers Village and Golf Club will be. We know the principals of StateSource (Ron Howell and Kevin Coutant) and realize the high level of integrity they bring to their endeavors. Further, we have had first hand experience with your proposed golf course designer, Randy Heckenkemper, who designed our new championship golf course at Chickasaw Point on Lake Texoma. This course has already been selected one of the top five courses in Oklahoma, according to Golf Digest magazine.

It was good news to me that we have been able to provide the services of Jane Jayroe and our Department of Tourism and Recreation in the initial planning of your development and in future marketing. I'm also pleased that we have found dollars within the Lake Access Road program to help build road infrastructure to the new development. I predict you will find many people coming from numerous directions to use these new facilities. I am hopeful that the leases are granted as quickly as possible so that this development can occur and more Oklahomans can begin camping, boating, golfing and enjoying this beautiful Oklahoma lake.

I look forward to being with you in coming weeks when this lease and subsequent development are announced in Skiatook.

Sincerely,

A large, stylized handwritten signature of Frank Keating in black ink.
Frank Keating



JANE JAYROE
CABINET SECRETARY
EXECUTIVE DIRECTOR

STATE OF OKLAHOMA

FRANK KEATING
GOVERNOR

May 20, 2002

Blu Hulsey, Chair
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, Oklahoma 74070

Dear Mr. Hulsey:

As an advocate of tourism and economic development, I wholeheartedly endorse the current partnership to develop Skiatook Lake. I support your lease from the Corps of Engineers of approximately 550 acres of land around Skiatook Lake. I understand this is for the purpose of joining with StateSource, L.L.C. in building and operating an eighteen hole champion golf course, marina, cabins, conference center and expanded camping area.

There is no doubt that the northeast corner of our state needs a first class resort development, and I understand that is what Crosstimbers Village and Golf Club will be. We know the principals of StateSource (Ron Howell and Kevin Coutant) and realize the high level of integrity they bring to their endeavors. I have worked with Ron on numerous projects for many years and have the highest regard for him.

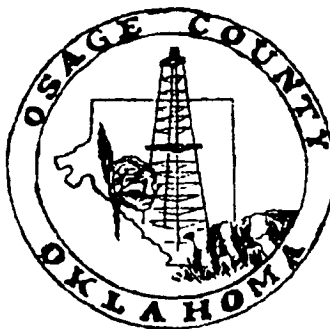
Further, we have had first hand experience with your proposed golf course designer Randy Heckenkemper, who designed our new championship golf course at Chickasaw Pointe on Lake Texoma. This course has already been selected one of the top five courses in Oklahoma, according to Golf Digest magazine.

Please keep us apprised as to how we can help in moving this development forward. We look forward to providing any assistance necessary in the completion of this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jane Jayroe".

Jane Jayroe
Executive Director



PAWHUSKA, OKLAHOMA 74056
May 15, 2002

Mr. Blu Hulsey-Chairman
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, Ok. 74070

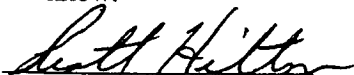
Dear Blu,

I am writing to express my enthusiastic support for your Skiatook Economic Development authority lease of approximately 550 acres on Skiatook Lake. We have both been involved in this exciting opportunity since the lake was chosen to participate in the Demo Lab program. The vision of our good friend Preston Hunter and his hard work in getting the lake selected for this program will no doubt serve future generations well, as it will now allow the type of recreational activities that the lake has needed in the past. All aspects of the planned development in your lease agreements through the sublease to StateSource, L.L.C., will provide the type of diversified recreational activities that we have longed for in this area of Oklahoma.

It has been an additional pleasure to work together with you on the critical areas of infrastructure development for the Crosstimbers projects. The BIA have agreed to fund 2.3 miles of the road that will connect N. 52nd W. Ave. with N. 41st W. Ave. going to Tulsa. We can now assure our visitors and residents that they can get to and from Tulsa during heavy rains and storm. This has been impediment to our growth and would have been impediment to the Crosstimbers development in the future. I am pleased that we have worked successfully with the State of Oklahoma (with help from State Source) in getting Lake Access Road program funding for infrastructure roads to serve the new development.

I am please by the support from the Oklahoma State University Environmental Sciences program. Through Dr. Lamberton and their intern program we are seeing the finest quality of applied environmental science combined with a first rate Environmental Management Plan. This type of academic support assures us that we will not only have the best recreational development in the state, but we will also continue to have the cleanest and clearest lake in the state.

Again, it is a pleasure to play on this great team of public and private participants. If I can do anything to further support your lease application and the Crosstimbers development please let me know.


Scott Hilton- Commissioner
Osage County Dist. # 2



Tulsa Environmental Management Programs
700 North Greenwood Avenue
Tulsa, Oklahoma 74106-0700
918-594-8367; Fax 918-594-8535

Mr. Blu Hulsey, Chairman
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

May 15, 2002

Dear Blu,

I am writing to voice my support and encouragement for the lease from the Corps of Engineers of approximately 550 acres for the purpose of developing recreational activities around Skiatook Lake. I understand that SEDA will work with StateSource, LLC in constructing and operating a championship golf course, marina, conference center, cabins and campgrounds. I also understand that Randy Heckenkemper's fine golf course design group will build the golf course. As you know, OSU-Tulsa Environmental Science Graduate Program faculty and graduate students have also been working on the Cross Timbers project in the form of (1) data collection for an environmental assessment for the construction of the project and, (2) an environmental management plan for the continued management of the project. From our experience on the project, you couldn't be dealing with finer and more qualified people than those at StateSource and Heckenkemper Golf Course Design.

Thanks again for your vision on this project. Oklahoma, in general, and Osage County, in particular, will be well served in these new enterprises. This type of investment will provide many jobs as well as countless hours of quality recreation for residents of northeast Oklahoma and beyond. I look forward to the continued association among SEDA, Statesource, and OSU-Tulsa on the Cross Timbers project to produce and management quality recreational facilities for the public of Oklahoma.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Lamberton', written over the word 'Sincerely,'.

Dr. John Lamberton
OSU-Tulsa

May 22, 2002

Mr. Blu Hulsey, Chairman
Skiatook Economic Development Authority
Skiatook, Oklahoma 74070

Re: Proposed Development on Skiatook Reservoir


Dear Mr. Hulsey:

As one of the many property owners in the Beverly Hills Addition on Skiatook Reservoir I wish to let you know how pleased we are to hear about the proposed development plan that is being considered. There is no question that the many facets of development being considered would fill a significant need in the area.

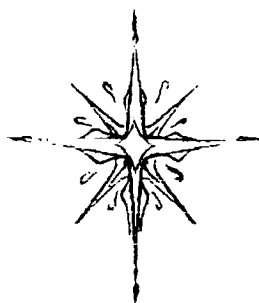
I have had some experience in developments similar to this and from all appearances the approach you and the Authority are taking is far superior to most. Skiatook Lake is one that is experiencing strong usage and with it's proximity to Tulsa we will only see this continue. These types of facilities can be used to a far greater extent if there is a partnership between the private and public sector.

Again, I wish to express my strong support for the project and if I can do anything to assist in it becoming a reality please do not hesitate to contact me.

Sincerely,



Bob Hudspeth



NORTH STAR ECONOMIC DEVELOPMENT COUNCIL, INC.

BOARD OFFICERS

Robert F. Breuning, Esq.
President/Director

Earnest Tiger
Vice President/Director

Barbara Christy
Secretary

Donna Gaston
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Skiatook Economic Development Authority
PO Box 339
Skiatook, OK 74070

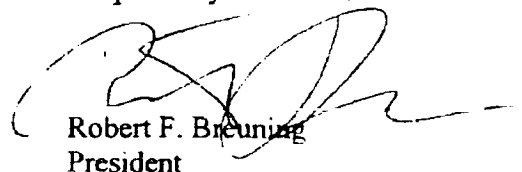
June 17, 2002

Gentlemen,

The plans for the proposed Golf Course, Convention Center, etc. to be build on the Army Corp of Engineers property on Skiatook Lake have been reviewed by the staff and the Board of Directors of North Star. North Star is in favor of this development and will count this project as out-standing in the economic development of the North Star region.

Should you have any questions, or if we can support this project in any other way, please contact us.

Respectfully Submitted



Robert F. Breuning
President

P.O. BOX 654 SKIATOOK OKLAHOMA 74070

PHONE: 918-396-4904 FAX: 918-396-4941 EMAIL: nsedc654@hotmail.com



Heckenkemper
Golf Course Design
a div. of Planning Design Group

May 13th, 2002

Mr. Blu Hulsey-Chairman
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

Dear Blu:

I look forward to the opportunity to work with you and the Skiatook Economic Development Authority in creating a model project on Skiatook Lake. Cross Timbers has the potential to become one of the outstanding recreational developments in the southwest. As you and I have discussed previously, Heckenkemper Golf Course Design prides itself in creating quality championship golf courses that are enjoyable to play and economically viable. Since forming my firm in 1985 we have always given environmental sensitivity first priority. This is not a mission of ours but a commitment. There are several examples that I could reference to support our position but the most notable include the Forest Ridge Golf Club in Broken Arrow, OK, the Chickasaw Pointe Golf Club on Lake Texoma, and the Sanctuary Golf Club in Scottsdale, Arizona. Forest Ridge has approximately 110 acres of maintained turf over the 185 acres of golf course property. This golf course has since it's inception been ranked in the top five golf courses in Oklahoma by Golf Digest Magazine. Chickasaw Pointe has approximately 125 acres of maintained turf over the useable 220 acre golf course property. This course has received significant attention for its strategic design as well as for its natural appearance. Lake views are possible from sixteen of the eighteen holes. It too is ranked as one of the top five courses in Oklahoma as well as being ranked as one of the top ten municipal courses in the United States by Golfweek Magazine. The Sanctuary was the first golf course in Arizona and the 17th worldwide to be built under the Signature Program administered by Audubon International. This program provides specific guidelines for design, construction and course operation that embrace environmental awareness.

The Cross Timbers Golf Resort will be designed in the same manner as the above referenced projects. We enjoy being proactive and working in a team environment.

Sincerely,

Randy Heckenkemper
President



DEPARTMENT OF THE ARMY
U.S. ARMY, CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

July 22, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

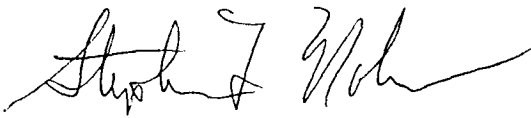

(To Interested Parties)

To Whom It May Concern:

Enclosed is a copy of the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake, Oklahoma, prepared in accordance with the National Environmental Policy Act of 1969 (Public Law 91-190) for public review and comment.

For comments to be considered, all comments must be received by this office on or before August 21, 2002. All comments should be directed to Mr. Stephen L. Nolen, Chief, Environmental Analysis and Compliance Branch, U.S. Army Corps of Engineers, Tulsa District, 1645 South 101st East Avenue, Tulsa, OK 74128-4609, Phone: 918-669-4395, Fax: 918-669-7546, Email: Stephen.L.Nolen@usace.army.mil.

Sincerely,


 Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure



Oklahoma Historical Society

Founded May 27, 1893

State Historic Preservation Office • 2704 Villa Prom • Shepherd Mall • Oklahoma City, OK 73107-2441
Telephone 405/521-6249 • Fax 405/947-2918

July 24, 2002

Mr. Larry Hogue
Tulsa District Corps of Engineers
Regulatory Branch
1645 South 101st East Avenue
Tulsa, OK 74128

RE: File #2010-02; Skiatook Lake Recreational Development Project

Dear Mr. Hogue:

We have received and reviewed the documentation concerning the referenced project in Osage County. Additionally, we have examined the information contained in the Oklahoma Landmarks Inventory (OLI) files and other materials on historic resources available in our office. We find that there are no historic properties affected by the referenced project.

Thank you for the opportunity to comment on this project. We look forward to working with you in the future.

If you have any questions, please contact Charles Wallis, RPA, Historical Archaeologist, at 405/521-6381.

Should further correspondence pertaining to this project be necessary, the above underlined file number must be referenced. Thank you.

Sincerely,

Melvena Heisch
Deputy State Historic
Preservation Officer

MH:bh

DUANE A. SMITH
EXECUTIVE DIRECTOR

FRANK KEATING
GOVERNOR



STATE OF OKLAHOMA
WATER RESOURCES BOARD

July 25, 2002

Mr. Stephen L. Nolen, Chief
Environmental Branch
USACE
1645 South 101st East Ave.
Tulsa, OK 74128-4609

Dear Mr. Nolen:

Thank you for the opportunity to comment on the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake, Osage County, Oklahoma. The comments provided here are primarily directed at flood loss reduction. Please consult with Mr. Joe Remondini, PE & CFM of your office about flood proofing any structures within the one hundred-year floodplain. Attached please find copies of the floodplain maps for the areas for this project. No flood map could be found attached to the draft assessment as indicated in the text.

As this project will include the construction of a golf course, cabins and RV/camping area, please do not construct any walled and roofed structures in the one-hundred year floodplain. As federal dollars will be used for this project, please ensure full compliance with EO 11988. Also, it is advisable to coordinate this project with the Osage and Tulsa Counties' floodplain managers. For Osage County, please contact Mike Pattison, 628 Kihekah, Pawhuska, OK, 74056, and for Tulsa County, please contact Ray Jordan, 500 S. Denver Avenue, Tulsa, OK 74103. It appears there will be some road resurfacing and grading. This falls under the definition of development and any proposed development within a community that participates in the National Flood Insurance Program is required to comply with their flood damage prevention ordinance. Osage and Tulsa County participate in the NFIP and administer and enforce such an ordinance.

Also, this proposed development might require a Stormwater Management Plan as regulated through the Oklahoma Department of Environmental Quality. Please contact Ms. Margaret Graham at DEQ, PO Box 1677, Oklahoma City 73101-1677.

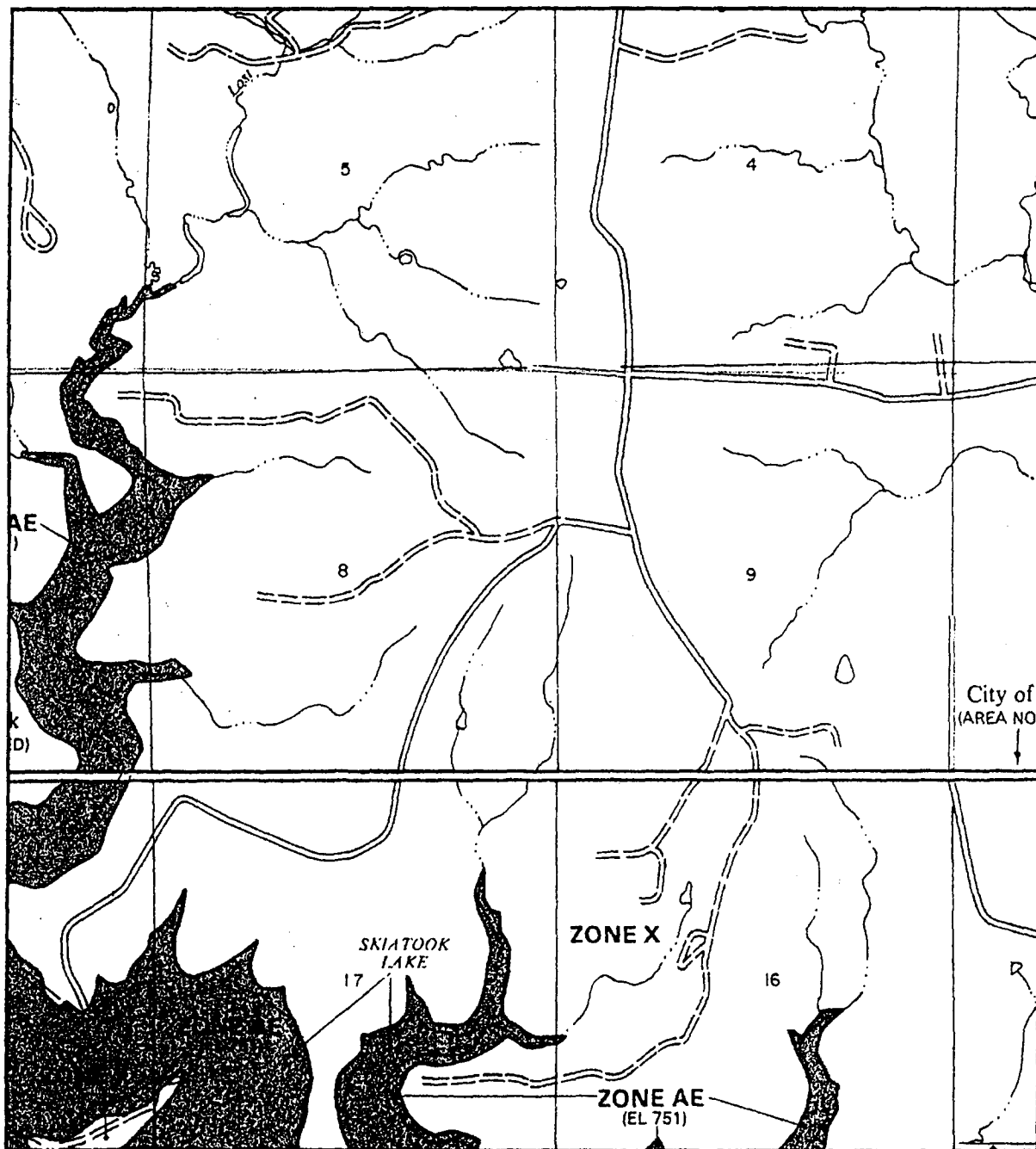
If you have any questions, please contact me at (405) 530-8800.

Sincerely,

W. Kenneth Morris, CFM
State Floodplain Manager

cc: Joe Remondini, CFM
Lonnie Ward, CFM

Enclosure



APPROXIMATE SCALE

2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 550 OF 875
(SEE MAP INDEX FOR PANELS NOT PRINTED)

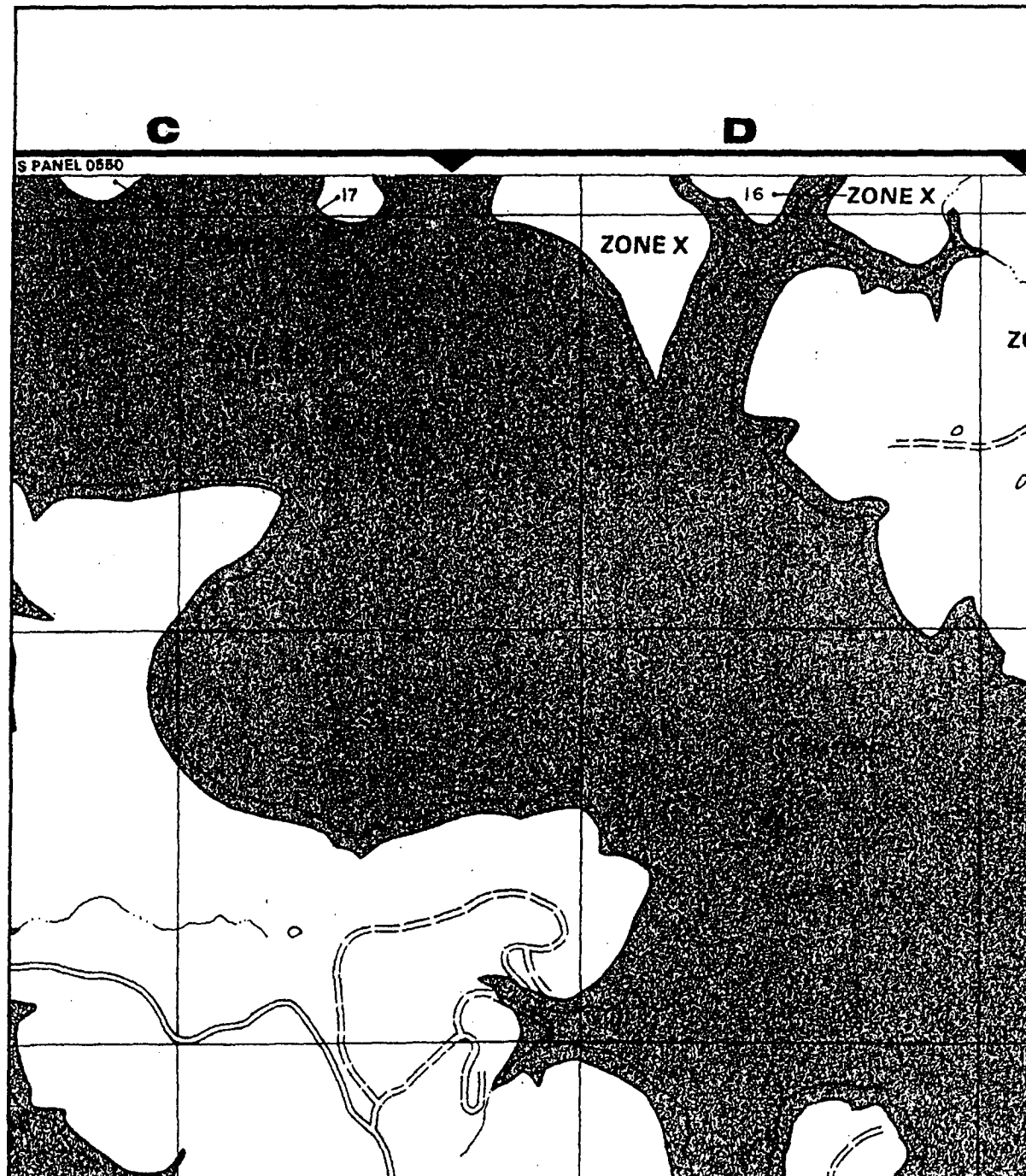
COMMUNITY-PANEL NUMBER
400148 0550 C

MAP REVISED:
DECEMBER 15, 1994



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.mec.fema.gov



APPROXIMATE SCALE

2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 625 OF 675
(SEE MAP INDEX FOR PANELS NOT PRINTED)

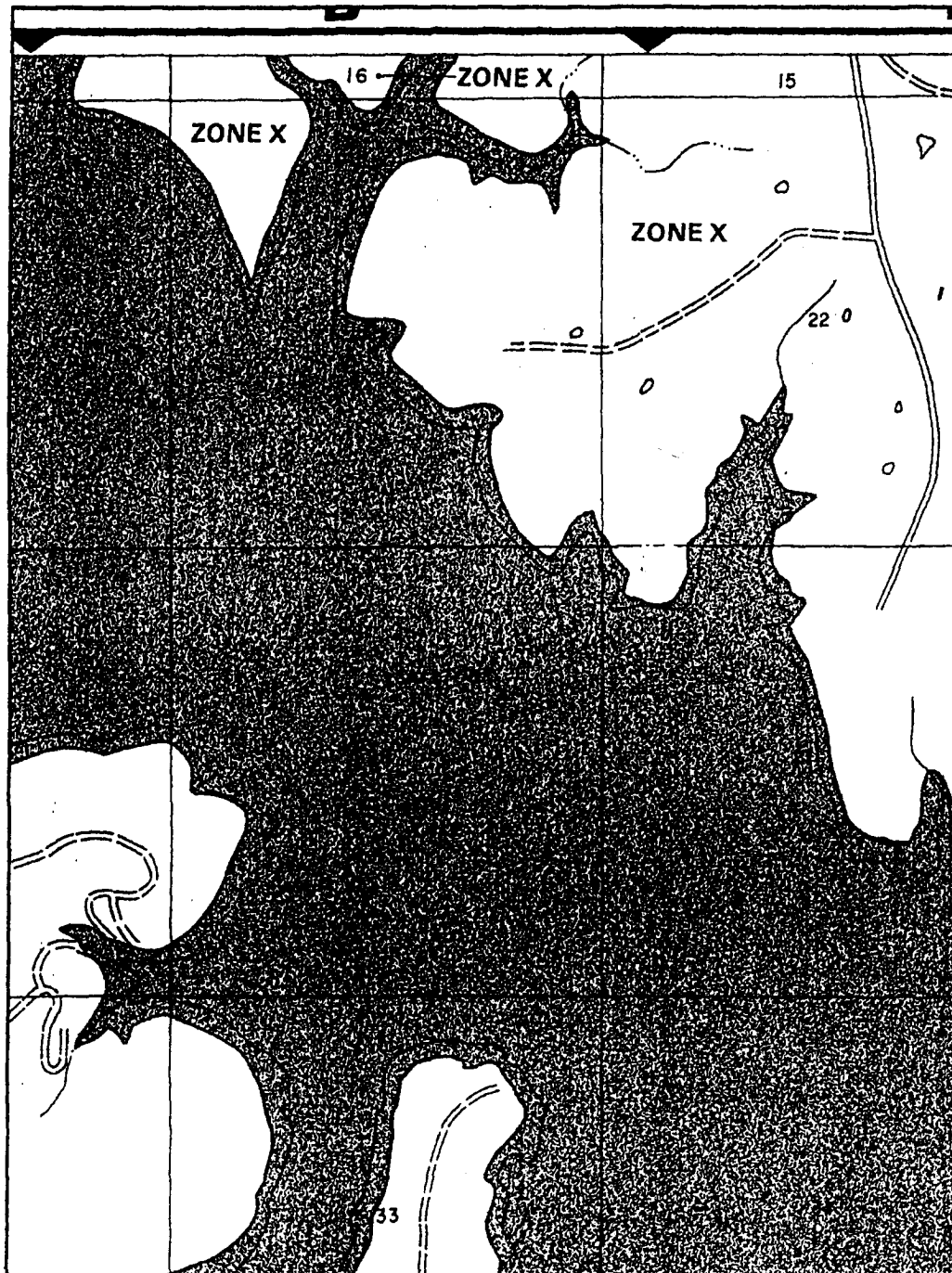
COMMUNITY-PANEL NUMBER
400148 0625 C

MAP REVISED:
DECEMBER 15, 1994



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



APPROXIMATE SCALE

2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 625 OF 675

(SEE MAP INDEX FOR PANELS NOT PRINTED)

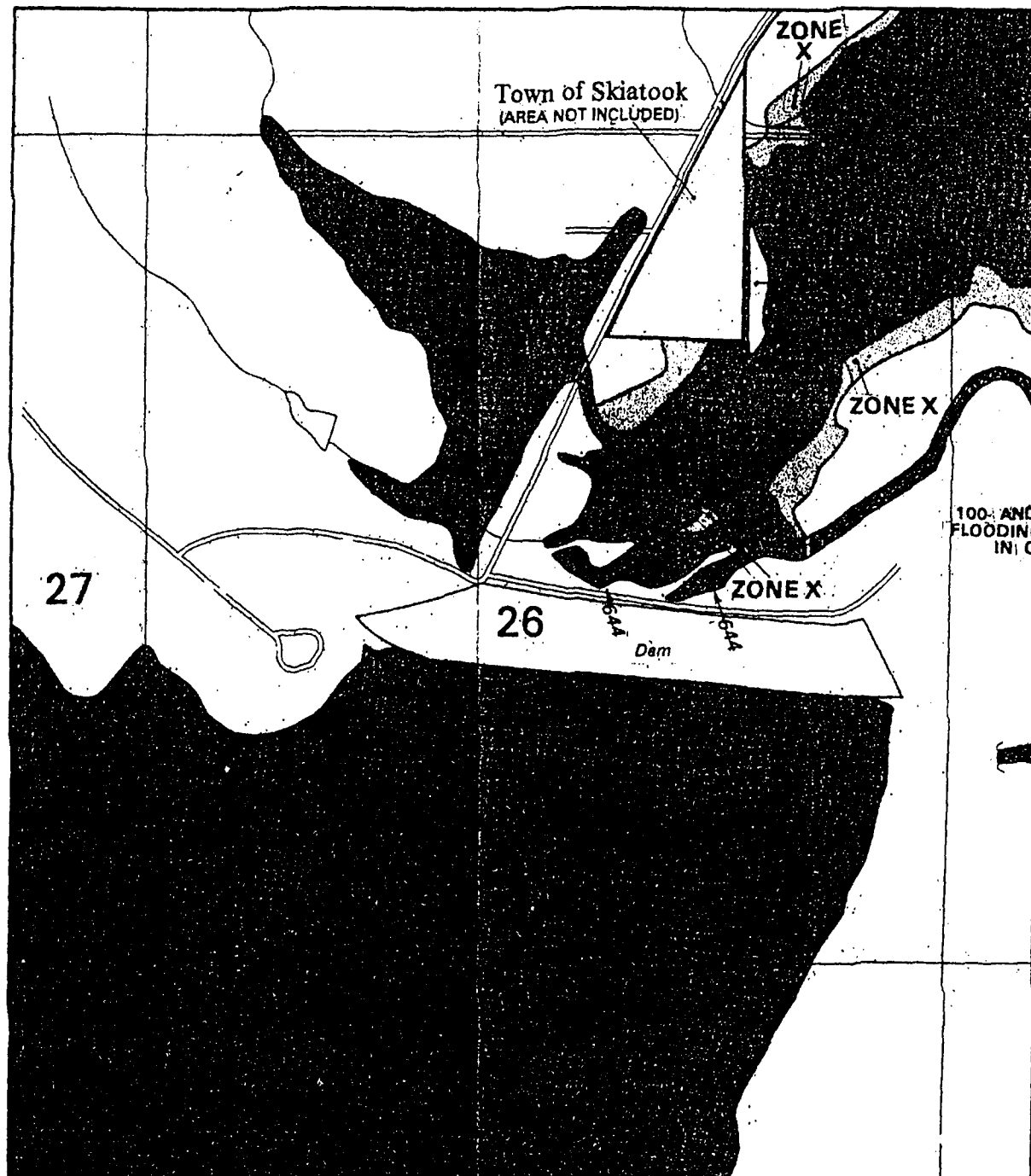
COMMUNITY-PANEL NUMBER
400148 0825 C

MAP REVISED:
DECEMBER 15, 1994



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



APPROXIMATE SCALE

1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 810 OF 876

(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
400145 0810 D

MAP REVISED:
MARCH 23, 1999



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Monday, August 05, 2002 7:44 AM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: CrossTimbers Development-Skiatook

FYI -- Comment received on Cross Timbers Development

-----Original Message-----

From: DHambric918@aol.com [mailto:DHambric918@aol.com]
Sent: Sunday, August 04, 2002 9:17 AM
To: Nolen, Stephen L
Subject: CrossTimbers Development-Skiatook

Sirs:

I find it outrageous that the Corps, politicians and developers are planning a massive development at Skiatook Lake which would destroy the integrity of that beautiful body of water. I am sure there is a fundamental reason why the lake is so beautiful. It is BECAUSE there are no large developments to create motor oil, trash, pollution of the water, etc.

To increase boat usage, boat docks, and housing destroys a jewel in our ecosystem as it now exists. Recently, I boated on Grand Lake. The water was filthy, the number of boats were impossible to navigate around, the chop created from the boats made boating undesirable and at times impossible. Why on earth would we want to create another Grand Lake at this beautiful site? Isn't it possible to leave the lake as it was intended? For sportsmen and casual boating without the hideous situation you are getting ready to create with this huge development?

I find it ironic that this project was kept from the public for so long. Why is it that attention is just now being directed? Have financial deals already been made? I understand that Skiatook is a small poor town, and it is understandable that they will allow financial gain to influence their opinion. But I would assume that the U.S. Corps of Engineers should be unbiased toward money and big developers.

I urge you to deny the usage of a very precious natural resource, Skiatook Lake, for financial gain and greed. It would be tragic if you destroyed such a beautiful respite from the hustle and bustle of everyday life.

Diane Hambric
7006 S. Evanston
Tulsa, Oklahoma 74136

JIM GRAY

Principal Chief

KENNETH H. BIGHORSE

Assistant Principal Chief



MEMBERS OF COUNCIL

MARK FREEMAN, Jr.
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OSAGE TRIBAL COUNCIL

August 5, 2002

Larry D. Hogue, P.E.
U.S. Army, Corps of Engineers,
Tulsa District
1645 South 101st East Ave.
Tulsa, Ok 74128-4609

Mr. Larry D. Hogue:

The Osage Nation has had an opportunity to review the Cultural Resource Survey of the Cross Timbers Project, Skiatook Lake area.

The Osage Nation feels that the activities that are associated with this lease; construction of a golf course, cabins, conference center, RV and other camping areas, a marina and an interpretative hiking trail will have an adverse impact on the one identified traditional and cultural property. The Teepee Rock or Healing rock or any other inadvertent cultural site that could be located in this area and could suffer adverse consequences from these activities. The Osage Nation is aware that the Healing Rock was removed from its original location and would like to keep it free from any future disturbance.

The Osage Nation is requesting a consultation with State Source, LLC and the Skiatook Economic Development Authority and the U.S. Corps of Engineers. On these and other matters pertaining to this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony P. Whitehorn".

Anthony P. Whitehorn
Project Specialist

Vogele, Louis E SWT

From: London, Jeffery SWT
Sent: Friday, August 16, 2002 5:00 PM
To: 'Wesley Johnson'
Cc: Tabb, George E HQ02; Pellicciotto, Elisa D SWD; McCauley, William B SWD; Marnell, John SWT; McElree, John A LTC HQ02; Benner, Marilyn K HQ02; Sullivan, Brian J HQ02; Lewis, Darrell E HQ02; Nolen, Stephen L SWT; Banks, Billy E SWT; Kelly, Pamela SWT; Vogele, Louis E SWT; Tennery, John SWT; Hudson, Mary B SWT; Francis, Keith SWT
Subject: RE: Reply: the distruction of Skiatook Lake

Dear Mr. Johnson,

In response to your first question, the Corps does not have the specific details of the marina. At this time we have general plans, as described in the Environmental Assessment, regarding the size and scope of the proposed project. If the application is approved and a lease is issued, we will require the lessee to submit detailed construction plans for Corps review and approval. Corps approval is required before the lessee is allowed to start construction on any of the proposed recreational facilities, including the marina. This is the Corps' standard practice regarding leases. In answer to your other questions, the Corps does not specify the size of boat allowed on Corps managed lakes in Oklahoma. The proposed marina has an initial plan to construct approximately 110 slips up to 24 feet in length. This is comparable to the size of slips offered by the existing the marina on Skiatook Lake at Crystal Bay. The Corps will review the final proposal, as it always does, to ensure the full environmental impacts are considered and are acceptable.

I hope this adequately answers your questions

Jeff London

-----Original Message-----

From: Wesley Johnson [mailto:pinball.doc@cox.net]
Sent: Tuesday, August 13, 2002 12:46
To: London, Jeffery SWT
Cc: Tabb, George E HQ02; Pellicciotto, Elisa D SWD; McCauley, William B SWD; Marnell, John SWT; McElree, John A LTC HQ02; Benner, Marilyn K HQ02; Sullivan, Brian J HQ02; Lewis, Darrell E HQ02; Nolen, Stephen L SWT; Banks, Billy E SWT
Subject: Re: Reply: the distruction of Skiatook Lake

dear JEFF,

THE E-MAIL YOU SENT ME YESTERDAY DIDN'T REALLY ANSWER MY CONCERNS. DOES ANYONE AT THE CORP HAVE DETAILED PLANS FOR THE MARINA?
WHAT ARE THE LENGHT LIMITS ON BOATS AT SKIATOOK LAKE? IF THERE IS NONE IS THE CORP GOING TO IMPOSE ONE BEFORE IT GIVES HE DEVELOPERS CART BLANC. PLEASE ENLIGHTEN ME.
WES JOHNSON

----- Original Message -----

From: London, Jeffery SWT
To: 'pinball.doc@cox.net'
Cc: Tabb, George E HQ02 ; Pellicciotto, Elisa D SWD ; McCauley, William B SWD ; Marnell, John SWT ; McElree, John A LTC HQ02 ; Benner, Marilyn K HQ02 ; Sullivan, Brian J HQ02 ; Lewis, Darrell E HQ02 ; Nolen, Stephen L SWT ; Banks, Billy E SWT
Sent: Monday, August 12, 2002 1:57 PM

8/18/2002

large of boats will be kept at this marina.

please contact me
Wesley Johnson
2831 e. 1st st.
tulsa, okla.
918-582-3130

8/18/2002

Nolen, Stephen L SWT

From: Rick Roberts [rroberts@cedarcreek.com]
Sent: Wednesday, August 14, 2002 1:33 PM
To: Nolen, Stephen L
Cc: norma_barham@inhofe.senate.gov; senator@nickels.senate.gov
Subject: Skiatook Lake Oklahoma



CORps
Letter.doc

Please review the attached

<<CORps Letter.doc>>
Rick Roberts
208 N. Oak Place
Broken Arrow, OK 74012
918-258-0808
rick@cedarcreek.com

Rick Roberts
208 North Oak Place
Broken Arrow, Oklahoma 74012

August 6, 2002

Mr. Stephen L. Nolan. Chief
Environmental Analysis and Compliance Branch
U.S. Army Corps of Engineers
Tulsa District
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4609

VIA e-mail: Stephen.L.Nolen@usace.army.mil

In Re: Crosstimbers Project at Skiatook Lake, Oklahoma

Gentlemen:

I am writing to you in response for you request for comment on the referenced project.

As you are aware, Skiatook Lake was authorized by the Flood Control Act approved 23 October 1962, Project document HD 563, 87th Congress, 2d Session. The purpose of the lake was: Flood Control, Water Supply, Water Quality, Recreation and Fish and Wildlife.¹

I have enjoyed Skiatook Lake as a recreational boater for many years and have witnessed the gradual increase in recreational use and increased economic impact on the lake and local communities.

I feel that the authorization of the Crosstimbers development will not have a substantial positive impact on the lake and its intended use as authorized by Congress. The project is ambitious and may well provide some benefits to the area but those benefits will almost certainly be out weighed by the negative impact on the lake and the local access to the lake.

The Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma "the Report", states that "The Tall Chief camping facility....experiences 100 percent utilization on the weekends during the camping season (having to turn away campers)"¹. The report fails to include data for the other camping facilities located on

Skiatook Lake, Bull Creek (41 sites) and Twin Points (54 sites). This reference is misleading since Tall Chief only provides one third (55 out of 150) of the possible sites on the lake. Prior to any approval does the Corps plan to investigate the utilization of the other existing facilities?

The report indicates that the marina experiences a 90 percent utilization during the summer¹. Does this level of utilization justify the addition of 100 boat slips? Will the proposed new marina have the same fees assessed as the existing marina so that the existing marina remains on a fair and competitive level?

All of the proposed facilities are public; does this mean that the fees associated with their use will remain competitive to fees the Corps currently charges for similar facilities? Will the marina have courtesy docks, etc?

I believe that the economic impact would be better suited for an area that has a higher than normal unemployment rate. Osage County, Oklahoma has an unemployment rate .3% below the state average².

The report indicates a "slow encroachment of housing developments"³, this moderate growth will facilitate the expansion of utilities, roads and other services and improvements to the area rather than a major expansion on the lake and then trying to "catch up" with the related services. The report expects 150-200 additional vehicles per day for the golf course alone, and the existing lake access consists of one two lane state highway and the remaining access is two lane county roads.

The report indicates that "Skiatook Lake has an excellent reputation as a prime fishing area"⁴. The Report also indicates that the lake water quality "as having macronutrients and trace metal at levels and patterns not a cause for alarm but that do warrant future study (USACE 1998). Phosphorus is at levels high enough to consider the lake mesotrophic. Mesotrophic lakes show some depletion of oxygen". "Since that time, the Oklahoma Water Resources Board has measured water quality in Skiatook Lake. Data gathered Show that Skiatook Lake is still classified as mesotrophic..."⁵. The report states the developer would "minimize ...application of fertilizer and pesticides that are often problematic to optimum water quality"⁶. By the report's own admission the water quality may experience a **negative impact** from the golf course alone, not including the damage to water quality by significant increases in boat traffic. The marina "**should** (emphasis added) ensure minimum impact the water quality from marina operations.

The report indicates that the project would increase visitation on the lake. Has any study been completed that would indicate that the lake can support a significant increase in visitation? There are currently seven public access sites and since the lake opened for recreational use the number of users for these facilities has increased. Any Corps personnel assigned to the lake can verify that the lake has a shortage of boat ramp access and parking. Generating an additional 100 plus users on the lake will have a dramatic impact to access to the lake. In addition to the access concerns, have any boat traffic

studies been completed? Does the Corps or the Crosstimbers Development anticipate creating additional access to the lake? Does the Oklahoma Lake patrol anticipate increased law enforcement responsibilities? The Tulsa World Article dated 8/3/2002 compares Skiatook and Skiatook Lake to Grove and Grand Lake, Grand Lake has 46,500 surface acres and is patrolled by ten (ten) GRDA law enforcement officers plus a helicopter, Skiatook Lake has a single Oklahoma Lake Patrol Officer.

For these reasons the Corps of Engineers should not immediately approve the developers request and should complete additional studies of the area to guarantee that the water quality will NOT be negatively impacted. To insure that the lake and the current recreational users will still have unlimited access to the lake. To insure that the lake and access to the lake can adequately support the increased car and boat traffic and the increased traffic from the support vehicles associated with a project of this magnitude. Will the developer be able to provide adequate staff for mostly low-income jobs in an area that already experiences an unemployment rate lower than the state average?

And finally I hope that the Corps of Engineers does not bow to pressure from congressional leaders who are simply supporting a project that may have a positive impact for a substantial campaign contributor. I would hope that the local congressional delegation would be more responsive to the voting constitution than a couple of "well connected Tulsa Businessmen".

Sincerely,

Rick Roberts

CC:

Senator Jim Inhofe (via e-mail c/o norma_barham@inhofe.senate.gov)

Senator Don Nickels (via e-mail senator@nickels.senate.gov)

Congressman John Sullivan (via fax @ 918-749-0781

-
- 1 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section 1, Page 1
 - 2 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section III, C, 3, Page 3
 - 3 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section III, C, 4, Page 3
 - 4 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section III, D, 6,a, Page 5
 - 5 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section III, G, Page 6
 - 6 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section IV, B, 8, Page 12

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 07, 2002 11:06 AM
To: Randolph, James C SWT; Vogele, Louis E SWT; London, Jeffery SWT
Subject: FW: Public comment - Skiatook Lake Development



Corps
Engineers.doc

-----Original Message-----

From: Preston Hale [mailto:Preston.Hale@hpidc.com]
Sent: Tuesday, August 06, 2002 2:34 PM
To: 'stephen.l.nolen@usace.army.mil'
Subject: FW: Public comment - Skiatook Lake Development

>
> Thank you for taking my comments. I am attaching a letter I sent to the
> Tulsa World on August 6, 2002. I do not know if they are going to print
> the letter.
> I am not anti-development, however, I have several reservations about the
> potential effects on the quality of life currently found in the town of
> Skiatook, and at Skiatook Lake.
> Thank you,
> Preston Hale
>
> <<Corps Engineers.doc>>

Corps of Engineers
Attn: Stephen L. Nolen

Re: the article that appeared in the Tulsa World on August 2, concerning the proposed development at Skiatook Lake raises several questions. First of all, what is the connection between "well-connected" businessmen in Tulsa, and our state congressmen? Further, why should the Corps of Engineers lease any of their land to SEDA, StateSource, or anyone else rent free? Why should StateSource be allowed to avoid property taxes? I own property near Skiatook Lake, and like other homeowners and businesses we pay property taxes.

Unfortunately, under the banner of "economic development" any number of undesirable things can happen. "Well-connected" Mr. Howell, and Skiatook Town Coordinator, Blu Hulsey, are quoted in the article as saying "it (the development) could completely change the way of life in this area", and "the project cannot move forward fast enough". I am not sure this is necessarily a good thing. The article references the growth in Grove, and the development at Grand Lake. That alone is enough to cause concern. Anyone who has the misfortune to drive through Grove on a weekend or try to casually fish or boat on Grand Lake knows that their development has created huge traffic problems both on land and in the water.

Currently at Grand Lake, there is a controversy between the homeowners, the GRDA, and "well-connected" marina owners. Apparently, the GRDA has allowed unchecked marina development that violates their own regulations and did nothing about it until challenged by homeowners on the lake. What assurances do we have that the Corps will monitor and control marina and recreational development any better on Skiatook Lake than the GRDA has on Grand?

Skiatook Lake is a great place currently because it is so clear and undeveloped. These are things that will surely change forever if this development occurs. The reason many land owners and boaters enjoy Skiatook Lake is the relaxing atmosphere and scenic shoreline uncluttered by commercial development. Unlike Grand Lake, a person can fish or boat without worrying about being capsized from the five foot wake from an ocean sized cabin cruiser, or having to look over both shoulders to watch out for morons driving cigarette boats at 60 mph.

Am I anti-development? No, not at all. I just caution the Corps, and the town of Skiatook to be careful what they ask for. They may be surprised what they lose in the process.

Sincerely,
Preston Hale



Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

August 8, 2002

Larry D. Hogue
Chief, Planning, Environmental,
and Regulatory Division
Department of the Army
Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Re: *Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake.*
Legal Description: Sections 2-4 T21N R11E; Sections 25-27, 35-36 T22N R11E,
Osage County, Oklahoma.

Dear Mr. Hogue:

I have reviewed the above referenced environmental assessment for the proposed development of a marina, golf course, conference center, and other associated recreational facilities at Skiatook Lake and concur with your findings. As noted in my July 5th, 2002 letter, the area of potential effect was examined for archaeological/historic resources by Dr. Donald Henry with negative findings. Thus, I have no objection to this action.

This review has been conducted in cooperation with the State Historic Preservation Office, Oklahoma Historical Society.

Sincerely,

Robert L. Brooks
State Archaeologist

Cc: SHPO

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 08, 2002 11:16 AM
To: Vogele, Louis E SWT; Randolph, James C SWT; London, Jeffery SWT
Subject: FW: CrossTimbers Project- Skiatook Lake

-----Original Message-----

From: Vince Logan [mailto:vglogan@msn.com]
Sent: Thursday, August 08, 2002 10:52 AM
To: Nolen, Stephen L
Subject: RE: CrossTimbers Project- Skiatook Lake

Mr. Nolen-

Thank you for the timely and informative reply. I now understand that comments to the draft are currently being accepted; however, I feel that to adequately respond to this draft in terms of environmental concerns would be impossible by Aug. 21st.

My family owns land out by the lake and are members of the Osage Tribe, yet the first time we heard about this project was in the Tulsa World on Saturday, Aug. 3rd. My family lives in Hominy, Tulsa and Oklahoma City and never received nor saw any notice about the project. I understand from your website that a public notice was printed in the Skiatook newspaper and letters were sent to several tribes in Oklahoma (including the Osage), but no doubt you can see how this missed us entirely.

I am considering what steps we must take to ensure that our concerns to the project are addressed, and I'm speaking of more than merely environmental concerns.

Regards, Vince Logan

>From: "Nolen, Stephen L SWT" <Stephen.L.Nolen@swt03.usace.army.mil>
>To: 'Vince Logan' <vglogan@msn.com>
>Subject: RE: CrossTimbers Project- Skiatook Lake
>Date: Thu, 8 Aug 2002 06:02:02 -0700

>

>Dear Mr. Logan:

>

>Thank you for your recent e-mail. I apologize for being several days in getting back with you.

>

>In answer to your questions, we are currently soliciting comments on the draft environmental assessment (EA) for this project. The purpose of the EA

>is to determine if further environmental analysis, in the form of a more detailed environmental impact statement (EIS), will be required to address environmental issues for the project. If it is determined that an EIS is required, there will be several more opportunities for public review and comment. If it is determined that an EIS will not be required, the draft finding of no significant impact (FONSI) will be signed and there will be no

>further review and opportunity for comment on the document.

>

>I encourage you to provide us your comments on the draft environmental assessment. This way, your comments become part of the public involvement record for the project and will be considered in project-related decisions. I hope I have answered your questions. If not, please feel free to contact me and I will be happy to discuss this with you further. Again, thank you for your interest.

>
>Steve Nolen
>
>-----Original Message-----
>From: Vince Logan [mailto:vglogan@msn.com]
>Sent: Tuesday, August 06, 2002 1:02 PM
>To: Nolen, Stephen L
>Subject: CrossTimbers Project- Skiatook Lake
>
>
>Mr. Nolen:
>I am writing to you regarding the CrossTimbers Project, Skiatook Lake,
>Oklahoma. In reviewing the Corps of Engineers (Tulsa) website, I see that
>public comments to the proposed project are being accepted until August
>21st. Can you clarify a few points for me concerning this deadline?
>
>1. Are comments being solicited for this "Draft Study" only, i.e. will the
>public be able to provide comments to a "final" of the proposal?
>
>2. Having read about the proposed project for the first time in Saturday's
>Tulsa World, will there be any further opportunities to address my concerns
>about the project?
>
>I appreciate you time and consideration in this matter.
>Vince Logan
>
>
>
>

>MSN Photos is the easiest way to share and print your photos:
><http://photos.msn.com/support/worldwide.aspx>

Chat with friends online, try MSN Messenger: <http://messenger.msn.com>

Nolen, Stephen L SWT

From: Keri, Ken, Liam and Alexander Shingleton [sydneymakoa@earthlink.net]
Sent: Tuesday, August 13, 2002 8:30 PM
To: Nolen, Stephen L
Subject: skiatook EA comments

Dear Mr. Nolen,

I am writing in response to the Environmental Assessment for the Skiatook Crosstimbers Project that is open for public comment. This project is described on the Tulsa District web page, and was also detailed in a Tulsa World article recently.

I would like to express my extreme dissatisfaction with both the general and specific nature of this project. The national pilot project of which this is a part should be thought out more clearly before individual aspects are chosen and implemented. I offer the following points and questions for your consideration.

On Government's Mission in Flood Control

1. Skiatook Lake, like many in eastern Oklahoma, was created as a flood control project, as a major mission of the Corps of Engineers. Theoretically, all the Corps land surrounding the lake consists of land needed to maintain the conservation pool and the flood pool. I say this is theoretical because in many cases the Corps purchased more land than was necessary for this purpose and has since been selling the difference. On the other hand, in many cases, we find the Corps did not purchase enough land for the purpose of flood control, and now is actively purchasing or acquiring flood easements. The flood pool exists to provide some measure of assurance that water can be held and released at such a rate that will not harm people or property downstream. The proposed developments occur on Corps' land, in the Skiatook Lake flood pool. It should be noted that flood control was established in the earlier part of the 20th Century as a major mission of the Corps of Engineers; it is a broad mission meant to serve large numbers of the American public, providing safety in both the physical and economic sense.

2. What happens when Hominy Creek reaches a 100- or 500-year flood stage? The proposed developments may flood, causing damages to structures and property (God forbid, the golf course greens). Who will pay the damages, and compensate for loss of business associated with the flooding? Will the Corps' base flood control water-release decisions on loss of life/property downstream, or will these decisions now have an upstream (read: development project) component? Additionally, it should be noted that Hominy Creek and Birch Creek, which feed Bird Creek, have historically seen more than their share of flood events, making such an event in the next few years not only likely, but probable.

On Government's Role in Economic Development

3. What exactly is the Corps' role in assisting economic development? Is it to provide government-owned land for private use at no cost in order for that private organization to make a profit? Does this 'instigate' further economic development? Who qualifies for such assistance? Is competition a requirement? Are women-owned and minority businesses given preference?

4. The current design of the Crosstimbers project from an economic standpoint, is in my mind, completely counter to the purposes and objectives of government in this arena. Why on Earth would the Corps provide a \$0 lease? Does the Corps still not incur costs, significant costs, associated with the management of the land and the reservoir? If one party is to receive exclusive access and use to a portion of the property via a \$0

lease, shouldn't at least a portion of the costs be passed on to that party, particularly if they are a for-profit organization? Why should we expect the American public to pick up the tab for those costs? If lakeside development such as this project is the ultimate goal, why pass up the opportunity to obtain some serious compensation for the operations and maintenance of the lake, and improve it for the rest of the American public?

5. In most other aspects of government, when services or products are obtained from the private sector, it is through competition. Why is there no evidence of a competitive process? I have heard of no other individuals, groups, or communities who have been offered a chance to submit a proposal on this project. There has been no establishment of selection criteria, nor has there been a competitive evaluation of proposals. There are no partnership goals or criteria; the government is providing everything. Additionally, has any attention been given to those women- or minority-owned groups that may have had an interest in competing?

6. The Water Resources Development Act (WRDA) of 1986 forever changed the way the Corps did business. From then on, the Corps would begin to take on less fully-funded government-authorized projects, and would begin to take on projects in a partnership role with communities. As a result of WRDA 1986, projects are now cost-shared at changing levels throughout the entire phase of their development. The Skiatook project again runs completely counter to the spirit of WRDA 1986. Why are we requiring communities with real water resource and control needs to pay 60/40 or 50/50 for the life of their projects, while we will turn right around and provide a lease of public land for 0\$, while it is entirely removed from public use, and even though it will allow a private organization to obtain monstrous profits (and gain tremendous advantages over their competitors)? Who is currently paying for the time the Corps is spending on real estate actions, environmental assessments, operations management, all in the name of preparing this project for action? My bet is on the government, and that's not right.

On Public Land

7. In Oklahoma, 99% of the land lies in private hands. The Corps of Engineers thus owns and/or manages considerably less than 1% of all land in the state. The Corps land is federal, public land, that is accessible most of the time by all U.S. citizens. We use it for hunting, fishing, hiking, nature viewing, camping, and other general recreation purposes. When you think about it, that's not a lot of land for these types of activities in the state, where you can go without asking permission; without having to locate a landowner; without getting threatened for trespassing. This project, however, will set a precedent for the wholesale removal of those lands, the partitioning of federal land and subsequent closure to the majority of the American public. Yet the public will still pay for the management of that land, and its cleanup once the private group makes mistakes or vacates the area, or when the property is flooded by an exceptional event.

8. A Cautionary Tale: When I was young, my father and I, my father in particular, frequented a section of Keystone Lake, Oklahoma Pawnee Cove South. We would hunt squirrels there in the Fall and Winter. This was primarily a recreational activity for my father, as he grew up hunting squirrels in West Virginia. In the late 80's we stopped visiting Pawnee Cove South, but my father returned in the Fall of 2001. He arrived to find the area completely blocked off and occupied by Camp Victory, which is part of the Victory Christian Center in Tulsa. Like many other 'low-cost leases', Camp Victory now occupies federal land at virtually no, if any cost. The lakes in eastern Oklahoma are littered with these types of church camps, complete with multitudes of structures built upon them all on federal land. Unfortunately, my father could not access Camp Victory. There were signs up that identified it a restricted access area, complete with religious meaning attached to it. This case is but one example in a sea of similar lease arrangements; unfortunately all detract from the ability of the American public to utilize these areas for appropriate activities.

9. I submit that a project such as the Skiatook Crosstimbers should be more appropriately considered in the context of some of the western states such as Utah or Nevada, where the federal government owns considerably more land. In Nevada, for instance, the federal government owns over 90% of the land in the state. Removing small amounts of that land from public use through a project such as this will have considerably less impact. But in Oklahoma, where there is little to no public land, such a project constitutes a 'public taking'.

On Environmental Concerns

10. The loss of public lands around Skiatook Lake will result in the loss of critical habitat for wildlife. The increased traffic through and around the lake will accomplish the same thing: diminished habitat. Fingers usually at this point are directed squarely at the environmentalists; however, loss of wildlife habitat breeds strange bedfellows. Hunters and fishermen a huge constituency in Oklahoma will be profoundly affected at Skiatook.

11. Being still owned by the federal government, how will environmental decisions be made at the development project? Will environmental laws and regulations be followed? Enforced? Who will pay for the regulation and compliance with these laws, including the Clean Water Act, Clean Air Act, National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and others? Sounds to me like the American public will pay, for the exclusive benefit of one, for-profit group.

12. Has thought been given to water quality issues, especially how they will end up affecting wildlife and fish populations in the lake? Golf courses will use a large number of chemicals and fertilizers; will runoff affect the water quality? Will this affect fish and animal populations?

On Political Concerns

13. This project, when more carefully examined, is an example of the removal of assets from the general American public and the redistribution of those assets to larger, richer for-profit groups. It is a shame that the project moves forward under the guise of a \$0 lease from a federal agency to a state agency, as it is then sub-leased to free to a private group. It is too bad that this is being pushed in the name of 'economic development', and that local developers are not creative enough to think of other areas or projects, besides a golf course.

14. Political involvement by our former congressman, Steve Largent, and one of our senators, Jim Inhofe, has pushed this project forward without due consideration. A very small number of people will actually be benefited by this project financially. This project consists of a redistribution of the wealth of public land from the American public, into the hands of a few people who have significant economic and political pull.

15. On economic development, as pushed by the politicians Has anyone thought of exactly how compatible the economic concerns of the community of Skiatook and the Crosstimbers project are? It seems to me that an exclusive club and golf course are not likely to draw the clientele mix to the Skiatook area that will do anything, or spend any money, in any place outside that club. They will drive right through Skiatook and keep going. Where is the market analysis? Where is the community analysis? What are the needs of the community? Again, it seems to me that the politicians, if they were truly interested in benefiting Skiatook, would sit down with city leaders and attempt to draft ideas that would specifically benefit the community and area, rather than insert an 'economically intrusive unit' into it, which is what this project will be.

I believe these previously mentioned points should provide some insight into why this project should not be allowed to move forward. The 'little' guys

like me out there who go to work every day to provide for our families like taking ownership in the public lands in this nation. I would like to have free, natural places to take my children or to go blow away a squirrel when I choose to do so, within season and with a state-issued license.

That's why I'm 'madder than Hell' that our federal government is funding big business to come in and take federal land out of public use. It makes me even more angry that our politicians appear to work for the privileged few, rather than the good of the public, all in the name of economic development. I couldn't honestly think of a more poor example of economic development if I tried.

Sincerely,

K. Shingleton
3746 S. Darlington Ave.
Tulsa, OK 74135
sydneymakoa@earthlink.net

via letter dated 8/16/02



August 16, 2002

ENERGY SERVICES
P.O. Box 21628
Tulsa, OK 74121-1628

Mr. Stephen L. Nolen
Chief Environmental Analysis and Compliance Branch
U.S. Army, Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128-4609

RE: Crosstimbers Project at Skiatook Lake, Oklahoma

Dear Mr. Nolen:

Williams Pipe Line Company, LLC (WPL), is a common carrier interstate pipeline. To the best of my knowledge, WPL has not been contacted to review impact on its facilities.

WPL is committed in its effort to maintain the safety and integrity of its pipelines in accordance with the **Department of Transportation Regulations 195, Transportation of Hazardous Liquids by Pipeline**, under which WPL lines are governed. At the same time, WPL strives to partner with local communities and developers and wishes to become part of the planning process to help facilitate a more efficient process for all involved as well as preserving the safety and integrity of WPL's pipelines.

WPL has implemented in other communities a similar process where we can be pro-active in working with local developers and sub-dividers, to alleviate and mitigate potential co-development safety and public concern issues, which relate to multi-use of the property in association with WPL pipelines.

WPL owns and operates three high-pressure pipelines under Skiatook Lake and across the proposed Crosstimbers development project. These pipelines transport refined petroleum products. In order to protect the public, preserve the environment and maintain the integrity of the pipelines, we respectfully requests to become part of your planning and review processes and would like the opportunity to review detailed plans on the project. With careful review and cooperation beforehand, we will be able to reach a plan that is mutually beneficial to both parties and prevent expensive re-designs later.

If you have any questions or concerns you may reach me at (918) 573-1005. I look forward to hearing from you to discuss a path forward.

Sincerely,

A handwritten signature in black ink, appearing to read "JR" or "Jim Ryan".

Jim Ryan
Real Estate Representative

Cc: Tracts 440, 441, 442
Shelia Saathoff
Sarah Hampton

EAST RIDGE ESTATES
HOMEOWNERS ASSOCIATION
SKIATOOK LAKE
OKLAHOMA

Mailing Address:

P.O. Box 1055
Owasso, OK 74055

August 18, 2002

Mr. Blu Hulsey
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

Dear Blu Hulsey,

Written Response to Homeowner Questions:

I am writing once again to request written responses to our neighborhoods questions on the CrossTimbers project. This is my third request for written responses to these questions. The first request was rejected by you stating that answering these questions in writing would take too much time and the Skiatook Journal newspaper would provide all the documentation. The second request for written responses was tabled because you stated the "Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake" would answer all questions. It did not adequately address these questions. I request the answers to these questions prior to any lease be entered into by SEDA, State-Source, and or the Department Of The Army.

Hiking/Nature Trails:

As homeowners we have made a positive and substantial investment in our homes and our neighborhood. We are very concerned with the zero cost leasing of public property to a public board (*of which we have no representative on*) then sub-leased to a private concern with no written plan in place. As a homeowner I was told by Corps of Engineer employees in late 1995 that the Corp of Engineers would always control the Corps land. That ~~discussion~~ played a large part into where I purchased property and undertook the building of my home. I choose not to speak to the Skiatook Point or Tall Chief Cove areas of the Crosstimbers proposal, however, the Hiking or Nature Trails is of primary concern.

These Hiking Trails have always been treated as just an add on to this project and would occur in its final phase. Apparently, as stated by Kevin Coutant, "getting grants for hiking trails is easy to do" when he was asked at the Chamber meeting. With this being the sole reason to create great animosity between homeowners and developers makes little sense to anyone in the effected area. A hiking or nature trail through the area from Tall Chief Cove to the Spillway creates an area for transient activity which cannot be controlled and/or patrolled by local law enforcement or Corps personnel. That along with the placement of Day Docks in areas where neighborhoods have been established creates a scenario for theft, vandalism, looting and illegal dumping. It is strongly recommended that no Corps property be leased or sub-leased within Section 35, Township 22N, Range 11 north to Skiatook Dam. This recommendation will require a

small portion of Section 26, Township 22N, Range 11 of the area north of Section 35 to Skiatook Dam. This area should never be leased due to National Security concerns with the Dam, Spillway, and Intake.

Thank you for your attention to this matter.

Sincerely,
The East Ridge Estates Homeowners Association

A handwritten signature in black ink, appearing to read 'Kevin Clough', with a stylized, cursive script.

Kevin Clough

CC:

Colonel Robert L. Suthard, Jr., U.S. Army Corps of Engineers

Mr. Stephen L. Nolan, Chief, Environmental Analysis and Compliance Branch, U.S. Army Corps of Engineers

Mr. Jeff London, U.S. Army Corps of Engineers

Mr. Preston Hunter, U.S. Army Corps of Engineers, Skiatook Lake Project Office

Mr. Rod Walton, Tulsa World

Ms. Donna Pearce, Skiatook Journal

TO: Blu Hulsey

FROM: East Ridge Homeowners Association
Kevin Clough

SUBJECT: Questions

I was able to contact a few of the homeowners after our discussion yesterday and gather additional detail on the questions that we previously submitted. I have included this detail on those questions but the others I had to leave as they were. Speaking for the Homeowners Association we greatly appreciate your attention to this matter and look forward to the answers this Friday.

1.) Project

(1.1) Could you please give us an overview of the Lake Development project with a focus on (a) key dates, (b) phases, and (c) land usage?

2.) Management of the Corps Land

- (2.1) Could you please explain the lease/sub-lease proposal and its mechanics with a focus on (a) parties involved, (b) lease duration, (c) key dates, (d) how many leases will be written?
- (2.2) Will private citizens be allowed access to the leased/sub-leased land?
- (2.3) Will a fee be charged to utilize leased/sub-leased lands?
- (2.4) What will happen to existing and future easements through leased/sub-leased land?
- (2.5) Can the leased/sub-leased land be leased again to a third party?
- (2.6) Can private citizens lease this or other Corp land?
- (2.7) What other development groups have been interested in leasing and/or sub-leasing this property? Why was State-Source selected?
- (2.8) Who will hold the Completion Bonds on each and every aspect of this project?
- (2.9) If the project were to fail who will be responsible to restore the Corp property back to its current/natural state?

3.)Funding

- (3.1) Are public funds going to be used in totality or in a matching form?
- (3.2) With the use of public funds will a referendum be needed for this proposal?
- (3.3) How much of the funding has already been secured?
- (3.4) Are their established funding targets which must be met prior to development phases being started?
- (3.5) What are the Federal Program(s) which this project falls under and how much funding is available?
- (3.6) If the golf course cannot be funded will the project still continue?

4.)Skiatook Economic Development Authority - (SEDA)

- (4.1) Could you please give us a brief overview of SEDA, its history, its past successful projects and future plans?
- (4.2) Are members elected or appointed to SEDA? How long are there terms?
- (4.3) What is the diversity make-up of the SEDA group and does it adequately reflect the make-up of the Skiatook, Sperry and Lake Area citizens?
- (4.4) To what entity does the SEDA group answer?
- (4.5) Does SEDA have scheduled meetings which are open to the public?
- (4.6) Does SEDA make its meeting notes available to the public?
- (4.7) Is SEDA a community funded group and does it utilize community buildings and/or public resources?

5.)State - Source

- (5.1) Could you please give us a brief overview of State-Source and just what sort of entity it is?

6.)Impact to the Skiatook Economy

Note: With the recent burglary in our neighborhood this area is of heightened concern.

- (6.1) How will law enforcement be guaranteed to be adequate?
- (6.2) How will the small Country Corner Volunteer Fire Department take care of our neighborhood and the development areas?
- (6.3) How will the Osage County RWD #15 keep pace with the development?
- (6.4) Who is in charge of road maintenance in and within the proposed development areas?

7.) Environment

- (7.1) Have any studies been completed? If not when, if so where are the results and how do you attain a copy of them?
- (7.2) Will the results of any environmental impact studies be incorporated into the development plans?
- (7.3) Which Environmental groups are involved in this development?

8.) Pending Studies

- (8.1) Has the Oklahoma Water Resource Board completed its studies and given its approval? If so, where do we attain a copy of there report?
- (8.2) Have there been any independent feasibility studies completed and issued on the impact to Skiatook Lake by another Marina? What are the results and where do we attain them?
- (8.3) Have there been any independent feasibility studies completed and issued on the impact to Skiatook of a golf course? What are the results and where do we attain them?
- (8.4) Are there any concerns about the location of the golf course being so far from the proposed convention center?

The following questions concern Dr. John Lamberton of Oklahoma State University Environmental Management Programs:

- (8.5) Has he issued his business plan and market analysis? How do we attain a copy of these?
- (8.6) Has he completed his community surveys and environmental impact assessment? How do we attain a copy of these?

Nolen, Stephen L SWT

From: Dale LeSturgeon [DLESTOURGEON@ci.tulsa.ok.us]
Sent: Monday, August 19, 2002 3:54 PM
To: Nolen, Stephen L
Subject: Comments re: Cross Timbers Project at Skiatook Lake

Dear Mr Nolen,

Thank you for the opportunity to make public comment on this project.

While I am not in favor commercial development and private gain on land acquired by public funds, I accept the fact that such projects are already approved by Congress, and there is a political impetus to proceed.

(I think the public use facilities and parks that the Corps has provided at Skiatook are outstanding and are all that is needed there).

My real concern that I hope someone will address is the impact of a golf course. Not because of the course's presence there, rather because golf courses are heavy users of chemicals, including herbicides, pesticides and fertilizers. One in particular, atrazine, is causing anomalies in amphibians where it gets into the water. How would the tons of chemicals used on the course not end up in the lake? It seems to me that the development, and especially the golf course will hasten the lake's becoming eutropic and worse, a harmful habitat for aquatic life. I have read the EA and do not see this problem addressed. It would be good to require the golf course operators to produce a realistic plan to assure that no golf course run-off would flow into the lake.

Thank you.
Sincerely,

Dale LeSturgeon
5109 E 106 St
Tulsa, 74137

1326 S Florence
Tulsa OK 74104
August 19, 2002

RECEIVED
AUG 20 2002

Preston Hunter
Skiatook Lake Manager
U S Army Corps of Engineers

BY:.....

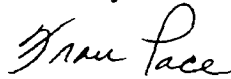
Dear Mr. Hunter:

I appreciate your remark in the Tulsa World that Skiatook Lake is the prettiest lake in the Tulsa District. Of course I agree with you but will offer this in addition. My Italian friend who lives the Dolomite mountains of Italy and has a lake house at Lake Garda stood on my deck and expressed with awe and genuine delight his appreciation for our beautiful lake and the surrounding virgin lands. That is some compliment considering his everyday surroundings. I told him it could not always stay so pristine, but we hope to see the best, and least obtrusive kind of development.

We cannot afford another experimental effort at tourism in Oklahoma. Surely we have seen such inexperience cost us dearly in the past. Mr. Coutant told me that State Source will manage the proposed Skiatook Lake Resort. They will not seek a company experienced in this field. I urge you to find a professional resort company to do this project. If you lock in hundreds of acres with a 50year lease it will exclude quality resort developers when they discover this beautiful and well positioned lake. Search for companies with proven track records. You mentioned that you have not received any other proposals in writing. How diligently have you looked for the best possible developers? Have there been articles in trade publications and professional journals or other types of notifications?

As a property owner and lake area resident I feel safe and comfortable dealing with the U.S. Corps of Engineers on lake matters. I know where you are and how to find you. A private corporation can be difficult to find. I trust we will have more opportunities to examine the exact and legal nature of this new lake management agreement.

Sincerely


Fran Pace

cc: Jeff London

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AUG 20 2002

National Recreation Lakes

Cross Timbers Development Project on Skiatook Lake, Oklahoma BY:

Comments on Environmental Impact

Submitted by: Fran and Gene Pace, 12356 Wells Drive, on Skiatook Lake

- The hiking trail will have what type of base, surface and edging. How will soil washes be prevented on and around the trail? How will disturbed soil be prevented from washing into the lake?
- Will the trail and parking be near the water intake tower? Can you protect water quality and safety with more intense activity? This is the source of our drinking water. What about the possibility of terrorism in this area.
- The shoreline on the east side of the lake is very unstable. With intense use rocks will loosen and create even more erosion. If the private developer cannot maintain the trail and the stability of the shoreline will the Corps take back management?
- Who will maintain the sand at the Tallchief Cove Beach?
- Will artificial light spillage be controlled and minimized? Too much light will disturb nature's balance. Is there a specific light plan?
- According to current development sketch plans some of this project will flood. What measures will be taken to keep possible pollutants including sanitary sewage out of these areas? Will we see more detailed site plans with flood overlay maps?
- During construction, how will you prevent soil, chemicals, oil and other pollutants from washing into the lake? Whose regulations will prevail – county or corps? Who will enforce these regulations?
- What fire prevention measures will be in place especially in the more remote areas? Southwest winds will carry sparks and flames to nearby residences.
- What size fire department will protect the project? How will it be financed? What is the availability of a water delivery system?
- What kind of sewage system will be used for the project? Will that system include toilets in all areas including the trail? Who will maintain them?

F.P.

National Recreation Lakes
Cross Timbers Development Project on Skiatook Lake, Oklahoma

RECEIVED
AUG 20 2000
BY: _____

Comments on Environmental Impact
Submitted by: Fran and Gene Pace 12356 Wells Drive, on Skiatook Lake

Page two

- We have started the process of obtaining water rights from the lake at our house at 12356 Wells Drive. Oklahoma Water Resources has assigned our water allotment per year. As soon as our design plan is complete we intend to ask the Corps for a water easement to the lake. The proposed development will cause increased demand for RW 15 water. The development will also create more fire danger in the woods surrounding us and thus it is important we have access to water from the lake. I assume the lease to a private corporation will not impede our efforts to complete this plan.

F.P.

National Recreation Lakes
Cross Timbers Development Project on Skiatook Lake, Oklahoma

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AUG 20 2002
BY: _____

Other Comments

Submitted by: Fran and Gene Pace 12356 Wells Drive, on Skiatook Lake

- How many parking spaces will be provided for
 - day visitors to the beach at Tallchief Cove
 - boat ramps at Tallchief Cove
 - boat ramps at Skiatook Point?
- What will be considered reasonable charges to use the facilities mentioned above?
- Why lease hundreds of acres at one time. Why not lease land one reasonable project at a time. When the company finishes the first stage satisfactorily the next stage can be leased.
- Will the contract have start and completion deadlines for each stage of development? Is there a provision to perform in a timely manner?
- Who cleans up in case of company failure? Are there provisions for government reviews if the company changes hands or sells to other parties?
- In case of bankruptcy does the land revert to CEDA or the corps? Do the improvements revert to CEDA or the corps? Would CEDA have the administrative ability and finances to clean up the problems?
- Can the developer start the project with the water delivery problems facing RW 15? Will they have to pay to upgrade the system before starting the project? We in Eastridge are at the end of the line. We need our water.

F.P.

August 19, 2002

Army Corp of Engineers
1645 S 101 E. Ave.
Tulsa, Ok 74128

Att: Jeff London

Dear Sir,

We would like to state our concern and disapproval of the proposed development of Tall Chief Cove on Skiatook Lake.

We cite the following reasons:

Roads: We live on 103rd St. west of Sperry. This road is narrow and can not safely carry the traffic we have now. There are times when we have to stop and pull to the edge of the road to let a big boat go by. During the peak summer times we have to wait for 15 to 20 cars and boats to pass before we can get in or out of our driveway. This road is so dangerous now it is a wonder we have not had more accidents on this year. This also applies to the road from Skiatook.

Schools: Both Sperry and Skiatook are at capacity now. There would have to be some major building done in order to sufficiently serve the influx of students. With the state continuing to cut funding for schools, this would cause an overwhelming burden on both school systems.

Water: As of now there is not sufficient water for Skiatook and RWD #15 to supply properly the existing customers. There are people who have been on the waiting list for a year who have yet to received a water tap. Plus some of those who have water have very little or no pressure.

Environment: Yes, Skiatook Lake is a beautiful lake. It would be wonderful to keep it as a natural shore line lake. Which in our opinion, would be damaged by this proposed development would no longer be the natural beauty it is now. That natural beauty is what draws so many people to the lake now. It is now natural, unspoiled and not commercial.

One of these concern is in regard to the impact the chemicals from the proposed Golf Course would have on the ecological balance of the fish habituate and water? We understand there are studies being done now on the decline in the quality and quantity of bass in the lake.

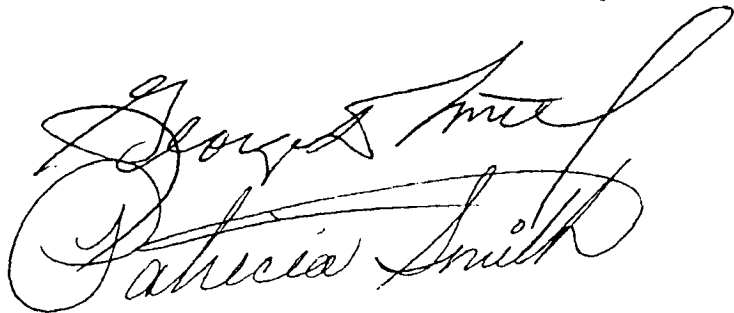
It was the understanding that this lake was constructed primarily for flood control, and recreation. Not commercial development. Is it equitable that the home owners who purchased land early in the development of Skiatook Lake were told no water front, now only to find some developer has been given lake front property for commercial use?

We understand progress is inevitable. However, some existing problems need to be addressed before proceeding with this proposed project.

Please reconsider this proposal.

Thank you,

George and Patricia Smith
Rt. 2 Box 71
Sperry, OK 74073

Handwritten signatures of George and Patricia Smith. The signature for George is written above the signature for Patricia. Both are in cursive script.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Tuesday, August 20, 2002 4:00 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Crosstimbers Project

Forwarded FYI.

Jeff:

Can you answer Ms. Beair's questions about lease specifics? You might want to provide her a response to her question. Thanks.

sln

-----Original Message-----

From: m.beair@att.net [mailto:m.beair@att.net]
Sent: Tuesday, August 20, 2002 1:03 PM
To: Nolen, Stephen L
Subject: Crosstimbers Project

Mr. Nolen,

As I told you in our conversation, I am opposed to this project. 55% of the proposed land to be developed is for a golf course, convention center and their attendant businesses. Since they are referred to as "Crosstimbers Golf Club", one can only assume that it will be members only. That infers "private ownership" obtained at a cost to the public levied by a private firm. This is incongruent with public usage fees on public lands.

Aside from the environmental impact which has had the best spin put on it and one knows in their heart what the real environmental impact will be, I am growing weary of rich developers made richer from their "liaisons" with governmental agencies whose primary concerns should remain to protect public lands for public use but have given way to funding private ventures with public tax dollars. I realize that the National Recreation Lakes Act of 2001 calls for such partnerships between state & local governments & private businesses. Those partnerships are to foster all public use at a minimal cost, financial and environmental, to the public.

I believe the proposed Marina, camping grounds, & hiking trails are more in the spirit of "treasured family memories" the legislation intended rather than golf courses. I fear that once the golf course is there, hotels, restaurants, and other urban blights would soon appear on what once was a pristine natural area that was created to provide a haven from urban sprawl. The only "treasured memories" this project will eventually produce can be found any day of the week on 71st & Hwy 169.

As I understand it, SEDA (local governmental agency) made the application for the lease, which I have not yet found access to, and StateSource is the "public relation" firm employed by SEDA (?) to generate public support via "pinpointing community leaders who have

direct or indirect access to public officials, and can be strategically encouraged to call on those officials to impact specific issues", determine the public costs, and ways to offset private costs via identifying, deterring and deflecting governmental regulations. I have yet to determine who's really behind this project. Did SEDA members wake up one morning and say "Gee, let's build a golf course"? Maybe they did and maybe they didn't. StateSource was hired by ??? or SEDA ???. Who approached SEDA with this project? Am I wrong on this 3rd party?

If you could direct me to where I could obtain the specifics of the lease, I would appreciate it. The terms of the lease should be public record as they are leasing public land. Is this a wrong-headed assumption? Any path you could direct me to would be helpful.

Thank you,

Marva Beair

Skiatook Public Schools
355 South Osage
Skiatook, Oklahoma 74070
(918) 396-1792

Gary Johnson
Superintendent

Steve Williams
Assistant Superintendent

FAX TRANSMITTAL COVER PAGE

Skiatook Public Schools
355 S. Osage
Skiatook, Oklahoma 74070
(918) 396-1792 Phone
(918) 396-1799 Fax

Date:

8-20-02

To:

Steven Nolen

From:

Mrs Ralph Hendrix

Time:

Telecopied to you are 2 pages, including the cover page. If you do not receive all of the pages or this transmission is not legible, please call me as soon as possible.

Thank you

Message:

August 20, 2002

Steven L. Nolen
Chief of Environment Analysis & Compliance Branch
U.S. Army Corps of Engineers-Tulsa District
1645 S. 101 E. Avenue
Tulsa, OK 74128-4609

Dear Mr. Nolen:

As property owners and residents on the Lake of Skiatook we wish to register our objection to the leasing of property to StateSource and the project Cross Timbers Golf Club and Village.

Our objections and concerns for this area include pollution of the lake, over-crowding on the lake, environment change for the wildlife, security control, and the privacy that will be taken from us as property owners, residents, and future residents.

Pollution from the golf course as they spray, water, and fertilize the grass needed to produce a good course. This will run into the lake and affect the area fishing. The lake is already crowded and adding these additional areas will only make it worse. We have an abundance of wildlife in our area and can hunt deer on our property. This will no longer be available to us if this development is approved. Security will be a major problem as it will allow access to many people's property that has not been available in the past. Vandalism and pollution from people will be a big problem not only for the Corp but individuals. We have a beautiful area and it is very peaceful and that is why we have built our homes here or are intending to build in the future. This project will take away all this from us.

I spoke with Jeff London by phone and he advised that the 21th was the last day we had to object to this project. He advised that we could write a letter as property owners, residents and future residents, and sign all names and fax this to you. We would have done so individually had we realized the time frame. The list below is of property owners, people living on the property or planning to build on this property and are all related.

We strongly object to the government giving away land for commercial use that belongs to the people.

Please consider our objections,

Mr. & Mrs. Ralph Hendryx (property owner)
10 West Beech
Skiatook, OK 74070

Mrs. Hendryx

Mr. & Mrs. Don Dethrow (property owner)
2250 East 53rd Street
Tulsa, OK 74105

Mr. & Mrs. Melvin Peters (resident of property)
418 West 5th Street
Skiatook, OK 74070

Mr. & Mrs. Heath Pedigo (resident of property)
10001 Tall Chief Road, P. O. Box 616
Skiatook, OK 74070

Mr. & Mrs. David Crase (future resident of property)
413 South Hominy
Skiatook, OK 74070

Mrs. Sherree Hill (future resident of property)
525 Southview Drive
Skiatook, OK 74070

Mr. Rick Hull (future resident of property)
212 South Cherry
Skiatook, OK 74070

August 20, 2002

Dear Mr. Nolen:

I'm writing to you with regard to the proposed CrossTimbers project on the Skiatook Lake. I believe I am in somewhat of a unique position to provide comments and input into this project, based on several criteria, which are as follows:

1. My father, Fred Jordan, was the County Commissioner in Osage County for the Skiatook area for over twenty years. Based on this exposure, I was very familiar with the "process" when the lake first went in and the anticipated growth that would come from the lake.

2. I am in the real estate development business, having developed a successful lakeside project on Grand Lake.

3. Having grown up in the area, I moved back there several years ago with my family; I am a part of the community, but enjoy the perspective of someone that works in Tulsa and brings many Tulsans to the area for recreational enjoyment.

Skiatook Lake is one of the most beautiful lakes in this part of the country. I believe it is much more pristine, with more beautiful vistas than Grand, Tenkiller, or any other lake in the state. While there has been significant economic growth attributable to the lake over the past twenty years, this has been obviously stifled by the limitations on developments that could take full advantage of the natural beauty, the setting, and the recreational amenities associated with the lake.

With the road improvements that are going on and that have been slated for the northwest access from Tulsa to the lake, I believe this development will provide an unprecedented opportunity for greater and more broad spread enjoyment of the lake area and all it has to offer. I have many friends in Tulsa that are excited about the opportunity to use these amenities for both personal and business-related recreational and conference uses. The proximity to downtown Tulsa makes this a natural for short-term meetings and conferences, as well as overnights, at such time as cabins, a lodge, or other accommodations would become available.

We are very fortunate to have representation in Congress and with the Corps of Engineers that have had the foresight to have Skiatook Lake selected as one of the pilot programs. I look forward to seeing where this development can go over the next several years with regard to the economic development prospects in the Skiatook area.

I will be more than happy to participate in any additional information gathering or in any capacity in which I might be able to assist to help make this project a reality.

Thanks for the opportunity to express my sentiments about this exciting development.

Yours truly,

Kevin L. Jordan

Kevin L. Jordan
Excel Energy Technologies, Ltd.
624 S. Boston, #300
Tulsa, Okla. 74119
918-585-5000, ext. 43

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 7:15 AM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Comments on Skiatook EA

-----Original Message-----

From: Kenneth Shingleton [mailto:econosys@worldnet.att.net]
Sent: Tuesday, August 20, 2002 7:08 PM
To: Nolen, Stephen L
Subject: Comments on Skiatook EA

Dear Mr. Nolen,

Please accept the following comments and questions regarding the Skiatook Crosstimbers Project, as it relates to the National Recreation Lakes Initiative and the associated National Recreation Lakes Act of 2001. We have had a chance to review the fact sheet that has been posted on the internet on the National Recreation Lakes Initiative, and the associated bill submitted to the Senate by Senator Blanche Lincoln (D-AR), and Representative Nathan Deal (R-GA).

In principle, we agree wholeheartedly with the goals and objectives of the National Recreation Lakes Act of 2001, that measures should be implemented in order to increase recreation opportunities and subsequent visitation at federal lakes. However, we believe that the Skiatook Crosstimbers Project, as one set of such measures, is not necessarily consistent with federal laws and regulations. We submit that federal policies regarding land use and economic development on public land should be fully explored prior to implementing any plan, even a pilot demonstration project. The following are associated points and/or questions that we would like addressed, if possible.

1. The National Recreation Lakes Coalition (NRLC) seeks to 'enhance greatly the recreational opportunities at hundreds of man-made, federally managed lakes.' The NRLC, created in 1996, established that federally-managed lakes played a critical role in meeting the nation's recreation needs, but that this role was jeopardized by deferred maintenance and outdated management practices. The NRLC noted that 'enhanced recreation opportunities are readily achievable through partnerships, innovation and management policy changes.' Additionally, it was determined that recreation at federal lakes (1) is not a priority, (2) lacks policy direction, leadership, planning, and coordination, (3) no expansions of recreation facilities have been planned, and (4) partnerships with state and local governments, and with private industry needed to be expanded and improved.

2. What is the Corps' recreation policy in terms of compatibility with other land uses? Is the Corps going to favor recreation concerns over those of natural conservation? Public land use? Other concerns? How do we define recreation; has the Corps defined the universe of terms which it is willing to associate itself with, in terms of recreation? Does recreation include campgrounds; beaches; marinas; golf courses; cabins; hunting/fishing areas; wildlife viewing; etc.? In sum, what are the recreational uses of land that are compatible and consistent with Corps policy, and the associated laws and regulations governing that policy? How does the Skiatook Crosstimbers project contrast with Corps policy?

3. Another aspect that should be considered thoroughly is the issue of partnerships. What constitutes a 'partnership?' What are some appropriate approaches to establishing partnerships with state and local governments,

and private entities, consistent with federal contract law and guidelines? How should issues of competition and fairness be addressed, when dealing with private entities?

We believe that policy and planning are not straightforward in the Skiatook Crosstimbers Project. We would like to see the Corps address these policy issues, and would like to see fair and competitive practices in establishing partnerships. The Corps should answer some questions, including (1) how implementing a \$0 lease on government property is beneficial to the government, (2) how the Corps will shoulder a multitude of associated costs and how this is beneficial to the government, and (3) how overlooking fair and competitive practices is beneficial to the government or the American public. In what way could the existing recreation program be expanded, modified, or managed differently to meet the goals and spirit of the National Recreation Lakes Initiative? Could increased funding for recreation, operations, and maintenance be one potential solution that would satisfy the spirit of the National Recreation Lakes Act?

Additionally, has the Tulsa District looked outside at other agencies participating in this pilot demonstration project? What are the other agencies doing? Are their proposed projects consistent with internal policy and with existing laws and regulations? Are other Corps districts participating?

We believe that all the aforementioned questions should be addressed before this project is pushed forward. A good faith measure of confidence and trust in the American people would be for the Corps to elevate this Environmental Assessment to an Environmental Impact Statement (EIS), since it is clear that this project will result in a significant impact on the human environment.

Sincerely,

Kenneth and Ruth Shingleton
5604 E. 36th St.
Tulsa, OK 74135
econosys@worldnet.att.net

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 7:16 AM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Skiatook Lake Comments

-----Original Message-----

From: Keri Shingleton [mailto:kerishing@hotmail.com]
Sent: Tuesday, August 20, 2002 9:13 PM
To: Nolen, Stephen L
Subject: Skiatook Lake Comments

Dear Mr. Nolen,

Thank you for the opportunity to address the potential environmental impacts associated with the proposed Crosstimbers Project at Skiatook Lake, Oklahoma. I have reviewed the Draft Environmental Assessment (EA) for Crosstimbers Project at Skiatook Lake, Oklahoma presently posted for public review and comment on the U. S. Army Corps of Engineers, Tulsa District webpage. After having reviewed the EA there are several components I would like to provide comment on.

Alternatives Analysis

In principal I agree with the no action alternative provided in the (EA). After a review of the proposed alternatives it would appear that no serious attempt was made by the project proponents to provide an incremental analysis encompassing a mix of the various proposed project features. If, as is stated in the EA, the availability of camping facilities results in campers having to be turned away from the existing recreation facilities on weekends during the camping season then the initial alternative should focus on the expansion of existing facilities only. After fully assessing the environmental and economic impact of that alternative, remaining project features should then be assessed for their environmental and economic impacts in an incremental manner such as:

Alternative 1: No action alternative

Alternative 2: Expansion of existing camping facilities.

Alternative 3: Expansion of existing camping facilities and development of new camping facilities.

Alternative 4: Expansion of existing camping facilities, development of new camping facilities, and development of a camping cabin complex.

Alternative 5: Expansion of existing camping facilities, development of new camping facilities, development of a camping cabin complex, and development of a marina.

Alternative 6: Expansion of existing camping facilities, development of new camping facilities, development of a camping cabin complex, development of a new marina, and development of a recreational lodge.

Alternative 7: Expansion of existing camping facilities, development of a new camping facilities, development of a camping cabin complex, development of new marina, development of a recreational lodge, and development of a "target golf course".

Natural Resource Impacts

While a relatively thorough survey of the flora and fauna present in area encompassing Skiatook Lake was performed by the U. S. Army Corps of Engineers, Tulsa District for the 1972 Environmental Impact Statement (EIS), it is highly unlikely that any such biological survey as been repeated in recent years in an attempt to evaluate changes in biodiversity and landuse

since the reservoir was impounded. Letters from the Oklahoma Department of Wildlife Conservation and the U. S. Fish and Wildlife Service provided in Appendix A of the EA indicate that no status species are known to occur within the proposed project area. However, the biological survey and habitat evaluations used in the preparation of the EA are 30 years old and were conducted prior to reservoir impoundment. Given the highly variable nature of biologic systems and the impacts that minor changes in land use can have on ecological communities it is extremely alarming that the project proponents, resource agencies, and the U. S. Army Corps of Engineers, Tulsa District are comfortable assessing potential impacts using floral and faunal surveys that are 30 years old. In addition, no attempt has been made to assess if any of the wooded areas within proposed project area includes old growth cross-timbers such as those near Keystone Lake recently incorporated into the Nature Conservancy of Oklahoma preserve system. Given the proximity of Skiatook Lake to Keystone Lake, there is a reasonable potential of old growth cross-timbers being present in the Skiatook Lake area. This alone seems to provide sufficient cause to undertake a more extensive biological survey of the area prior to project approval.

Furthermore, Table 1 of the EA merely quantifies the total acreage of each habitat type expected to be impacted by the proposed project. Nowhere does the document identify what the impacts would be on organisms such as migrant neo-tropical birds known to be summer residents in the Skiatook area (e.g. Great Crested Flycatcher, Eastern Wood-Pewee, Yellow-throated Vireo, Prothonotary Warbler, Northern Parula, Yellow-throated Warbler, Yellow Warbler, etc...) as a result of habitat loss and fragmentation. The same holds true for potential impacts to reptile, amphibian, and mammal populations, as well as the many invertebrate species inhabiting the proposed project area resulting from habitat loss and fragmentation.

Water Quality

A major area of concern I have with regard to the proposed project is the potential for reservoir water quality impacts resulting from golf course operations. Currently Skiatook Lake is a water supply reservoir for the City of Skiatook. In 1998, Skiatook Lake was identified by the Oklahoma Water Resources Board, under section 303(d) of the Clean Water Act, as being impaired by pesticides

(http://cfpub.epa.gov/surf/huc.cfm?huc_code=11070107). The EA provides only cursory mention to turf management and integrated pest management plans. These plans have the potential to be critically important to maintaining reservoir water quality from both an ecological and water supply standpoint.

However, no effort has been made by the project proponents to provide detailed information as to what the type and frequency of sampling would be required to adequately quantify impacts related to increased nutrient, pesticide, and herbicide loadings resulting from golf course application. At a minimum these plans should include the type and frequency of sampling, what actions would be required to reduce nutrient, pesticide, and herbicide application if increased concentrations were found in the reservoir, and what "triggers" would be in place to initiate a nutrient, pesticide, and/or herbicide reduction plan.

In closing I would like to stress the importance of requiring the project proponents to address these issues. The only way to adequately address these issues is for the U. S. Army Corps of Engineers, Tulsa District not to issue a Finding of No Significant Impact (FONSI). Furthermore I recommend that the U. S. Army Corps of Engineers, Tulsa District require the project proponents to perform an Environmental Impact Statement in compliance with the National Environmental Policy Act (NEPA) of 1969.

Thank you for your time,

Keri E. Shingleton, PhD
Tulsa, OK

Aug. 20, 2002

Corp of Engineers
Mr Jeff London

Dear Sir,

I am protesting the commercialization of Shitash Lake for the following reasons.

1. Road are not satisfactory for the traffic we have now and to make them so is more money from taxpayers that we don't have.
2. The Corps should not have bought this land in the 1st place because it wasn't needed for the lake. It was bought with taxpayer money and should it be leased at no charge to profit makers. This will not benefit the average person as they will not be ~~able~~ able to pay the high rental prices.
3. It will cause overcrowding and will be detrimental to the ecology of the lake and wildlife in the area.
4. As a taxpayer I feel we have already payed for it once and will have to pay again to use it.

5. what happened to competitive bidding?

6. Will I be able to launch a boat with my Corps annual pass? Crystall Bay - No, At the area of Hyway 412 & Grand River - No
We Taxpayers are getting the shaft and the money people are getting all the benefits. also other areas the same way.

7. water quality will go down with lots of commercial use.

8. It will be great for wealthy people but not us.
Just my 2¢ worth

Tom Stewart
17731 E 105th St
Owasso, OK. 74055.

FAX

To Steve Nolan

Fax Number 669-7546

Phone Number

From Dr. Melinda Upton

Fax Number (918) 665-7089

Phone Number (918) 663-3994

Number of Pages 3 including cover page

Date 8/21/02

Comments:

Comments on Skiatook Lake Project

Melinda Upton
15501 N. 95th PL
Skiatook, OK 74070

August 20, 2002

Colonel Robert L. Suthard, Jr.
U.S. Army Corps of Engineers
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4629

Dear Colonel Suthard:

I have reviewed the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake (Draft Project) and am deeply concerned about the proposed privatization of public lands. The Skiatook area has relatively little public land available for outdoor recreation and the proposed project is essentially giving some of this land to a private enterprise. To make matters worse, this opportunity to profit from federal lands was not open to everyone and appears to have been politically arranged for the project proponents.

I understand a need to provide recreational opportunities to the public and expansion of the campgrounds, development of trails, and potentially a limited expansion of marina facilities certainly would provide recreational benefits that are best suited for lands managed by the Corps. However, the golf course and village could be located on private lands adjacent to the lake and provide all of the same benefits to the public (and even more considering they would be paying more property taxes). Is there a shortage of golf courses? Certainly if there is a demand for more golfing facilities, and it's financially feasible, the private developers in the area will build one near the lake on private lands without any government subsidy. With the relatively rapid development occurring near Skiatook Lake, I'm surprised it hasn't happened already. Development of a golf course on private lands probably won't happen if the Draft Project is approved. Who could compete with a free lease and no property taxes? Why is the Corps proposing to give away (free lease) such valuable property. Taxpayers have paid for the Federal land around the lake and we deserve to receive at least the fair market value for leasing the land.

With the exception of the marina, most of the proposed development could occur on adjacent private lands. Corps lands at Skiatook Lake occupy only a relatively thin strip of land around most of the reservoir. Private lands, including land overlooking the reservoir, are available near the lake that could support a golf course, a village, and additional developments such those proposed by SEDA. SEDA could build much of the Draft Project on private lands without being subsidized by the taxpayers. Alternatives that include development of portions of the project on private lands were not addressed in the Draft EA.

The area around Skiatook Lake is rapidly being developed and part what attracts people is the relatively undeveloped appearance of the lake. As the area around the lake gets more developed there will be an increased demand for recreational opportunities in less developed settings. The proposed project will adversely impact many existing recreational uses and put even more pressure on the undeveloped lands that remain. As an example, boating use has increased at Skiatook lake in recent years to a point where many people avoid going to the lake on weekends. Existing recreational activities such as water skiing and fishing are already being impacted by the high level of use. The proposed project will only increase use and conflicts with existing recreation. The quality of the recreational experience is just as important as the quantity and in fact are interrelated. It is not practical to continue to encourage more use without considering the impacts to public safety and sustainable use of our public lands and waters. The Draft EA makes no attempt to consider these potential impacts.

The Draft EA does not properly address indirect or cumulative effects which is required by NEPA. The following are potential cumulative effects that are inadequately addressed:

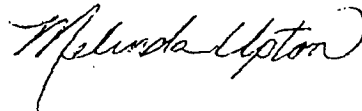
- Boating traffic is already relatively high on weekends and project related increases could impact existing recreational uses and public safety
- Impacts to existing recreational uses and potential conflicts between recreational uses
- Costs and impacts related to increased traffic.

I also would like to see the following questions addressed:

- How large is the proposed marina and is it justified if the existing marina is not fully occupied?
- Are Federal lands in the proposed project providing any recreational benefits or opportunities that could not potentially be provided by development on private lands?
- Could SEDA develop most of the proposed project (all proposed developments except the marina and campgrounds) on private lands near Skiatook Lake and still achieve the same benefits for the public?

I appreciate the opportunity to provide these comments. Please respond to my questions and comments and incorporate your response in the final environmental assessment. If you have any questions concerning my comments, please contact me at (918) 663-3994.

Sincerely,



Melinda Upton

U.S. Fish and Wildlife Service



Ecological Services
222 South Houston, Suite A
Tulsa, Oklahoma 74127-8909



Jerry J. Brabander, Field Supervisor, ext. 224

Visit our Website at <<http://www.ifw2es.fws.gov/tulsafo/>>

COMM & FTS (918) 581-7458

FAX (918) 581-7467 (COMM & FTS)

E-mail jerry_brabander@fws.gov

FAX Cover

No. pages (incl. cover) 4

DATE: 8-21-2

TO:

Steve Nolan

FAX No: 669-7546

Phone:

FROM:

Kevin Stubbs

SUBJECT:

Skiatook Project

MESSAGE:

OK ES Voice Mail Numbers
Todd Adornato(TDD)918/581-7572

Jontie Aldrich	231
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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services

222 S. Houston, Suite A

Tulsa, Oklahoma 74127

August 21, 2002

In Reply Refer To:

FWS/R2/OKES/02-14-02-I-1062

Colonel Robert L. Suthard, Jr.
U.S. Army Corps of Engineers
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4629

Dear Colonel Suthard:

The U.S. Fish and Wildlife Service has reviewed the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake (Draft EA). The following comments are provided for your consideration.

The proposed project includes a golf course, village (including lodge, cabins, store, and other related facilities), marina, and a camping/RV area. The project proponent, the Skiatook Economic Development Authority (SEDA), proposes to lease 550 acres of federal property to allow construction of the proposed project. The proposed project encompasses Corps property from Tall Chief Cove to Skiatook Point.

The Service has attended two meetings at the Corps District office and a public meeting in Skiatook for the proposed project. The information and coordination provided by your staff at these meetings were greatly appreciated and we will continue to work with your staff in evaluating fish and wildlife resources likely to be affected by construction and operation of the proposed project. The Service also provided preliminary threatened and endangered species information and comments in a March 28, 2002, letter and verbal comments have been provided at the meetings mentioned above. No federally-listed threatened or endangered species are likely to be adversely affected by the proposed project, however, the potential exists for future conflicts involving conservation of some species, such as the bald eagle. The Corps should monitor bald eagle use of the reservoir and provide protection for nesting, roosting, and perching sites, if needed in the future.

The Service's primary concerns about the proposed project are related to potential impacts to terrestrial and aquatic habitats and existing recreational uses at the Skiatook Project. The Draft EA provides no details about proposed mitigation for potential impacts. Over 100 acres of mature timber and over 70 acres of tallgrass prairie appear to be directly impacted by the proposed project. The Corps proposal to rezone other areas of the lake to mitigate project impacts has merit and we will work with the Corps and Oklahoma Department of Wildlife (ODWC) in identifying suitable areas for mitigation.

Colonel Suthard, Jr.

2

The Service and ODWC are opposed to any losses of public hunting and fishing opportunities. The proposed project would be likely to reduce recreational opportunities related to public hunting and fishing. Not all recreational activities at Skiatook Lake would be enhanced by the project and impacts to existing recreational uses should be addressed in the Final EA. Existing bow hunting opportunities would be impacted by the proposed golf course and the popular hybrid-striped bass fishery could be impacted by the proposed marina and a potential increase in boat traffic. The area of the lake potentially occupied by the marina would essentially exclude most of the public from boating and fishing these waters.

The Service also is concerned about impacts to migratory birds. Much of the project area is mature hardwood timber. Some of these trees are hundreds of years old and mitigation for the loss of such trees is difficult. Migratory birds such as scarlet and summer tanagers, use this mature timber and likely would be displaced by some of the proposed development. Habitat improvement in other areas is recommended, but will require active management to maintain the value of the resource over time. The Service will work with the ODWC and Corps to identify areas best suited for habitat improvement.

The Draft EA mentions creation of wetlands near the golf course to improve wildlife habitat. The Service could support creation of wetlands, but any waterbodies created in or near the golf course have potential to accumulate pesticides and become toxic to wildlife. We recommend incorporation of adequate preventative measures to reduce this potential and periodic monitoring of water quality and fish in those waters in or near the golf course. Fish eating birds and amphibians are particularly susceptible to accumulations of pesticides in such waters.

The Draft EA does not properly address indirect or cumulative effects. The following are potential or likely cumulative effects that are inadequately addressed:

- The proposed project is likely to increase development of private lands adjacent to the golf course and other portions of the Corps property at the Skiatook Project;
- Boating traffic is already relatively high on weekends and project related increases could impact existing recreational uses and public safety;
- Human disturbance of wildlife in habitats adjacent to developed areas is likely to increase;
- Displacement of existing recreational uses and potential conflicts between recreational uses likely will occur; and
- Habitat destruction is likely to occur related to expansion of roads and parking areas to accommodate increased traffic.

The Service also has concerns regarding the proposed use of federal land and questions the justification for some of the proposed developments. Relatively little effort was made to provide alternatives that avoid or minimize long-term impacts to fish and wildlife habitat. With the exception of the marina, most of the proposed development could occur on adjacent private

Colonel Suthard, Jr.

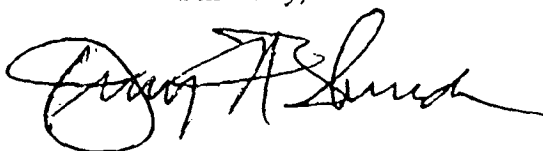
3

lands. Corps property at Skiatook Lake occupies only a relatively thin strip of land surrounding most of the reservoir. Private lands, including land overlooking the reservoir, are available near the lake that could support a golf course, a village, and additional developments such as those proposed by SEDA. Alternatives that include development of portions of the project on private lands were not addressed in the Draft EA. Such alternatives would help minimize impacts to wildlife habitat on Federal lands. The Service would like to see the following questions addressed:

- How many boats and of what size will the proposed marina accommodate? Is the proposed marina justified if the existing marina is not fully occupied?
- Are Federal lands in the proposed project providing any recreational benefits or opportunities that could not potentially be provided by development on private lands?
- Could SEDA develop most of the proposed project (all proposed developments except the marina and campgrounds) on private lands near Skiatook Lake and still achieve the same benefits for the public?
- Camping at Tall Chief Cove is fully utilized, but are other campgrounds at Skiatook Lake full on a regular basis?

The Service will continue to work with your staff in developing project alternatives that will minimize and mitigate for any potential impacts to fish and wildlife resources. If you have any questions concerning our comments, contact Kevin Stubbs of the Oklahoma Ecological Services Field Office at (918) 581-7458, extension 236.

Sincerely,



Jerry Brabander
Field Supervisor

cc: Director, ODWC, Oklahoma City, OK
ARD (ES), Albuquerque, NM

JIM GRAY
Principal Chief

KENNETH H. BIGHORSE
Assistant Principal Chief



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DUDLEY WHITEHORN
JOHN W. WILLIAMS

OSAGE TRIBAL COUNCIL

August 21, 2002

Colonel Robert Suthard
U.S. Army, Corps of Engineers,
Tulsa District
1645 South 101st East Ave.
Tulsa, Ok 74128-4609

Colonel Suthard,

RE: Skiatook Lake Cross Timbers Project

Dear Colonel Suthard:

The Osage Nation is very concerned about how and why they are being left out of this project. The Osage had entered into a contract with State Source L.L.C. to do the study for the development of Skiatook Lake as well as a power plant in this same area. Both of these projects were reliant on the Corps Lake. They were to be very intertwined.

The 30th Osage Tribal Council was under the impression that the documentation for this demonstration project had been submitted on behalf of the tribe. Previous council members were under the impression that counter offers with State Source L.L.C. were forthcoming. The Osage Tribal Council has never taken any action not to do this project they have been waiting for this to come back.

The Osage Nation would like to assure the Corps that they are in full support of a project of this nature on Skiatook Lake. Where the tribe is having reservations about this project is non-role the tribe has to play. This Council is not willing to make the same mistakes that were made when the lake was created.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony P. Whitehorn".

Anthony P. Whitehorn
Project Specialist



OKLAHOMA DEPARTMENT OF
WILDLIFE CONSERVATION
FAX TRANSMITTAL SHEET
FAX # 405-521-6535

TO: Mr. Stephen L. Nolen	FROM: Thomas Hever
COMPANY: USACOE	DATE: 21 August 2002
FAX #: 918-669-7546	# OF PAGES (INCLUDING COVER) 3
PHONE #:	PHONE #: (405) 521-4663
RE:	
<input type="checkbox"/> URGENT <input type="checkbox"/> PLEASE REPLY <input type="checkbox"/> FYI	
COMMENTS:	

WILDLIFE CONSERVATION COMMISSION

Lewis Stiles	John S. "Jack" Zink
CHAIRMAN	MEMBER
Mac Maguire	Harland Stonecipher
VICE CHAIRMAN	MEMBER
Douglas Schones	Bruce Mabrey
SECRETARY	MEMBER
John D. Groendyke	Bill Phelps
MEMBER	MEMBER



FRANK KEATING, GOVERNOR

GREG D. DUFFY, DIRECTOR

DEPARTMENT OF WILDLIFE CONSERVATION

1801 N. LINCOLN

P.O. BOX 53465

OKLAHOMA CITY, OK 73105

PH. 521-3851

August 21, 2002

U.S. Army Corps of Engineers
Colonel Robert L. Suthard, Jr.
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Subject: Draft Environmental Assessment for Crosstimbers Project at Skiatook Lake, Okla.

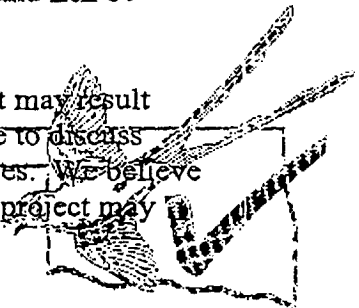
Dear Colonel Suthard,

The Oklahoma Department of Wildlife Conservation (ODWC) submits the following comments in regard to the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake, Oklahoma (Draft EA). The proposed project involves the construction of a golf course, marina, expanded RV sites, cabins and a village located on Skiatook Lake in Osage County, Oklahoma. This project included plans for the Skiatook Economic Development Authority (SEDA) to lease 550 acres from the U.S. Army Corps of Engineers (Corps).

The ODWC has reviewed the Draft EA for this project and a copy of the U.S. Fish and Wildlife Service's (Service) letter to the Corps dated August 21, 2002. The Service's letter reflects many of our concerns regarding impacts to fish and wildlife, proposed mitigation, and the loss of wildlife related activities that include hunting, fishing, and nongame wildlife recreation and we support the issues they raise.

As reflected in the comments provided by the Service, we are equally concerned about the impacts that this project may have on terrestrial and aquatic habitats and existing recreational uses at Skiatook Point. We are concerned that this project may have long term implications for the natural buffer zone around Lake Skiatook. Land use changes that can result in an increase use of herbicides, fertilizers, and nutrients must be evaluated carefully to ensure that the biological integrity of Lake Skiatook is maintained. Therefore, we agree with the Service's assessment that preventative measures and long term monitoring of water quality and fish be implemented.

Our agency is opposed to any loss of fishing and hunting opportunities that may result from this proposed project. We would like to meet with the Corps and the Service to discuss possible alternatives to minimize and mitigate impacts to fish and wildlife resources. We believe that the Draft EA inadequately addresses the indirect and cumulative impacts this project may

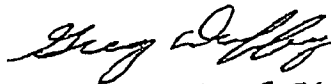


have on adjacent fish and wildlife populations. These impacts include increased development of private lands adjacent to the golf course and related increase of both boating and vehicle traffic and human disturbance of wildlife.

Finally, we would like to further explore issues related to the Corps leasing public land for private developments. This would help us understand how land use proposals, such as this one for Skiatook Lake, are consistent with the original purpose of such properties. We would like to explore how these types of actions may affect the long term management of Skiatook Lake. If possible, we would like to further discuss this issue at your convenience.

The ODWC appreciates the opportunity to review this project and submit comments, and we look forward to the opportunity to discuss this project with your staff before the final Environmental Assessment is prepared. If the ODWC can be of further assistance, please contact either Jeff Pennington at (918) 629-4625 or Thomas Heuer at (405) 521-4663.

Sincerely,



Greg Duffy *by RTH*

Director,

Oklahoma Department of Wildlife Conservation

cc: Alan Peoples, Wildlife Division, Oklahoma Department of Wildlife
Jeff Pennington, Wildlife Division, Oklahoma Department of Wildlife
Kevin Stubbs, U.S. Fish and Wildlife Service, Tulsa, Okla.

Vogele, Louis E SWT

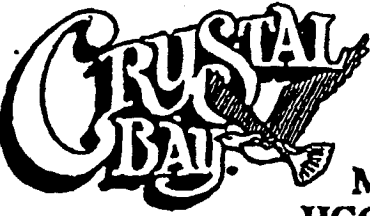
From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:27 PM
To: Vogele, Louis E SWT
Subject: FW: Golf Course

-----Original Message-----

From: Rowdyroach@aol.com [mailto:Rowdyroach@aol.com]
Sent: Wednesday, August 21, 2002 2:12 PM
To: Nolen, Stephen L
Subject: Golf Course

Bessie Baldwin
PO Box 262
Avant, OK 74001

I want to support the proposed Skiatook Lake Golf Course project. I believe it will be great for the area.



MARINA
HC67, Box 3500
Skiatook, OK 74070
6 Miles West
(918) 396-4240

FAX COVER LETTER

ATTN: Steven L. Nolan

RE: SEDA - Crosstimbers Project

No. of pages (including cover): 4

If all pages were not received or are illegible please call (918) 396-4240

CRYSTAL BAY MARINA INC.

HC67 BOX 3500
SKIATOOK, OK 74070

Phone 918-396-4240 EXT 201

August 21, 2002

Mr. Steven I. Nolen
Chief Of Environmental Annalysis And Compliance:
1645 So. 101 East Avenue
Tulsa, Oklahoma 74129

Dear Mr. Nolen;

I am addressing concerns pertaining to the organization for economic development, (SEDA), which was established for and by the Town Of Skiatook, Skiatook Oklahoma. There are other concerns addressed about the Cross Timbers Project.

The first item is on page 4, paragraph 5 of The declaration Of Trust Of The Skiatook Economic Development Authority.

The Trust Authority should be restricted from relinquishing ownership of holdings to any other entity other than the USACE without specific consent of the USACE.

Item Two: page 4, paragraph 6

The Trust membership must reside within the City Limits of Skiatook Oklahoma, the beneficiary of the Trust.

Note: The Board members list which I only read in the paper lists members who do not reside in the City Limits.

This should be researched by the USACOE and if your findings are identical to mine the Trust was established illegally and cannot exist.

My understanding is the project (Cross Timbers) should be in the Corporate Limits of The Town Of Skiatook. If this is so the Town becomes responsible for Police, Fire, and Emergency services.

The prospect of Skiatook providing any services to the project is more than unlikely. I request an audit of the Town Of Skiatook to determine their financial stability. Obviously SEDA has no assets and the future stability of the Town of Skiatook financially need to be addressed.

Item Three: page 7, paragraph 6

This states that SEDA and Skiatook are not liable for anything other than the assets of the Trust. The only assets the trust have are given them by the USACOE. This is a sweet deal for SEDA and a REAL LIABILITY to th USACOE and the public as tax payers.

Item four: page 9 (h)

NO BOND REQUIRED FOR TRUSTEES. Is this a license to steal or miss-manage?

Item five: Page 12

Dissolution: If dissolved the assets should return to the USACE.

Item 6 Development Plan, paragraph 4

This is permitting private ownership under cover of a general plan of operation.

You do not permit private ownership on USACOE land. This is private ownership by individuals. Once the ownership is established to an individual in a legal infringement to Gov. property, how will the USACOE deal with the issue when it pops up and the private owner decides to just stay. The issue currently in process at Oologah lake where an individual built his house on USACOE property and the Corp's is willing to negotiate public land to the individual is cause enough for concern. You start here and end where.

Item 7 Development Plan, paragraph 5

Fences are required on all USARCOE land at Skiatook Lake unless the land limits access because of the terrain.

Item 7 Development Plan, paragraph 6

It would be nice to have the taxpayers build a top rate camping facility and give it to me. Get real on this item.

I formally request a feasibility study on the proposed camping facility and given the great profit the Skiatook Lake Project receives from the camping facilities currently in operation I am willing to see the feasibility based on the no cost to construct theory given the services are provided equal to the services currently provided by the USACOE.

Item 8 Attachment 7

This is a supposed twenty million dollar project. Only a fool would insure less than the investment for liability and property damage and the policy should hold the USACOE as an also insured.

Item 9 Lease Terms

The USARCOE has moved in the direction of shorter leases with the current concession holders. As President Of the Oklahoma Marina Association, and Vice Pres. of Crystal Bay Marina Inc. I welcome the addition of 50 year leases. The current policy has made it difficult to secure financing so the current concession holders may expand their business. If more time were spent helping the current operators the industry would have already grown. Marinas are one of the most difficult businesses to obtain financing for.

Item Ten

The publishing of information about SEDA and the CROSS TIMBERS project was done with the minimum effort required, (BLU HULSEY Statement) Only after we used the PIO act did we receive any documents regarding the project. True the environmental assessment is on the USACOE web page.

I am requesting an extension of NINETY DAYS from the date of this letter to take true public opinion polls and provide the information for public review which I received) 08-14-2002.

I am a board member of the Skiatook Lake Association and a member of the Skiatook Chamber Of Commerce and as of this day have only seen presentations made by State Source giving their side of the deal. If this is a good proposal it will withstand scrutiny by the people who live here and currently use Skiatook Lake. No one could dispute the proposal because no official proposal was made. Conceptual drawings have no ground in a project of this size.

I furthermore FORMALLY REQUEST feasibility studies to be made for the Golf Course, Cabins, and conference center. No logical decision can be made on any project until detailed plans for construction are included in the feasibility studies.

I furthermore FORMALLY REQUEST an environmental study to address the disposition of the businesses currently operation in Skiatook in respect to the road traffic to the lake which will use the 52nd West Ave. road and Cemetery Road through Sperry when they are completed. The numbers should reflect residential growth and business growth and their patterns of growth over a ten year period.

The area selected should have a weather history (Storm Pattern) study over the past 20 years. I looked at this area when Catalina Cove Development wanted a marina at this site. I might add that I am not new to the Marina business and do my homework.

I furthermore request the accessible area to recreational boaters be looked at in detail. The lake has a pool

at elevation 714' of 10,500 acres. This is not comparable to Tenkiller.

Only fishing is safe in the following areas:

The Bull Creek Bridge near Hwy 20 over Hominy Creek West

The Bull Creek Bridge North (Bridge at Bull Creek Park)

Turkey Creek (from the mouth to the end of both fingers)

Dads Creek to the Island (Brush)

Cedar Creek (Brush)

Lost Creek (Osage Ramp) Brush

When you look at the open water available at 714 pool you have to be dealing with no more than six thousand acres of safe boating. Check this with the Okla. Lake Patrol.

Sincerely: Richard L Barton



Vice Pres. Crystal Bay Marina Inc.

President: The Oklahoma Marina Assoc

HC67 Box 3500

Skiatook, Oklahoma

74070

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:28 PM
To: Vogele, Louis E SWT
Subject: FW: Skiatook Project

-----Original Message-----

From: Rowdyroach@aol.com [mailto:Rowdyroach@aol.com]
Sent: Wednesday, August 21, 2002 2:06 PM
To: Nolen, Stephen L
Subject: Skiatook Project

April Boness
10593 N. 68th W. Ave.
Skiatook, OK 74070

I would like to support this project and feel that it would enhance Skiatook Lake and the economics of the area.

Town of Skiatook

August 21, 2002

Stephen L. Nolen
U.S. Army Corps of Engineers
Tulsa Office

Dear Mr. Nolen,

I serve as Mayor of the Town of Skiatook, as well as a member of the Board of Directors for the Skiatook Economic Development Authority. First of all, let me congratulate you and the Corps for participating in this Demonstration Lakes program. For many years, our lake has not developed as it should, and that is why we are so excited about the CrossTimbers development project. We already are seeing additional planned development being considered that would never have happened without your model program and the CrossTimbers plan. This is critical for our community, as you know that rural economic development is vital and that recreational development is a great way to make that happen.

Please be assured that there is very, very broad support in the community for these projects. We have been very impressed by the caliber of the developers, StateSource, LLC, and their openness and commitment to our community.

Please approve these SEDA leases so that we can get underway with this wonderful private development. If this doesn't happen, I fear that we will never experience the growth and development that this private investment will bring.

Sincerely,



Don Billups
Mayor
Town of Skiatook

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:26 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers Project

-----Original Message-----

From: Boston Street Advisors [mailto:bboyd@bostonstreetadvisors.com]
Sent: Wednesday, August 21, 2002 4:07 PM
To: Nolen, Stephen L
Subject: Cross Timbers Project

Mr. Steve Nolen
Army Corp of Engineers
Tulsa office

Mr. Nolen,

I am writing to you concerning the Cross Timbers Development project that is being proposed for Skiatook Lake. I am a businessman with offices in downtown Tulsa and also a resident of Owasso.

While I do not consider myself or my family to be a frequent visitor to the lakes and recreation areas in our state, I am certainly familiar with most. One reason for our lack of participation is the availability and accessibility of quality areas in the very immediate proximity of Tulsa. I am not talking about your typical run of the mill campground but some place locally where my family and I can travel to quickly and then relax and enjoy a comfortable setting. I have traveled to Big Cedar and would greatly appreciate the opportunity to enjoy those same type of facilities in my own community.

The thing that is most appealing to me however, is the funding by private business people for the benefit of many. Many times developments are completed with insufficient resources to properly maintain the assets. I have known Ron Howell for many years both as a friend and a business partner and believe me, any project with his name associated with it will never fall into a state of needed repair. Ron is developing a first class project that will become the envy of the entire nation. A flagship project that can be emulated on other Corp properties.

Our community has cried out for recreational facilities, more family activities, and some exciting new developments to jump start the Tulsa Metropolitan area. This project is just the ticket we need to prime the pump for a vibrant region of fun and entertainment. I urge you to quickly move through the needed activities to put this project on the fast track and let's raise the bar on future developments. Our region deserves it.

Sincerely,

Robert Boyd

BOSTON STREET ADVISORS
TWENTY EAST FIFTH STREET
SUITE 1200G

8/22/2002

TULSA OKLAHOMA 74103-4461
PHONE 918 585-5085
FAX 918 585-8864
<http://www.bostonstreetadvisors.com>

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please notify the sender.

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:40 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Skiatook Lake Project

-----Original Message-----

From: RandyDavisHomes@aol.com [mailto:RandyDavisHomes@aol.com]
Sent: Wednesday, August 21, 2002 12:00 PM
To: Nolen, Stephen L
Subject: Skiatook Lake Project

Steve,

My wife and two girls are extremely excited about the proposed improvements for Skiatook Lake. You have our full support of the project.

As a home builder and developer in SKiatook I can appreciate the growth that this quality project will bring to our area. It will also help to improve the quality of life for our citizens in and around the surrounding area.

Thank you for your efforts in this project,

Randy Davis
Randy Davis Homes, Inc.

8/21/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:36 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Skiatook Lake Project

-----Original Message-----

From: SkiatookChiro@aol.com [mailto:SkiatookChiro@aol.com]
Sent: Wednesday, August 21, 2002 10:40 AM
To: Nolen, Stephen L
Subject: Skiatook Lake Project

I am writing in support of the project with state source, SEDA, and the lake. I am looking forward to the great facilities we will soon have, I think it will be great for the community, but as a resident of Eastridge edition, I hope that the thoughts on the jogging trail will be changed. we have a group of houses in a remote area with people who enjoy the freedom, privacy, and most of all security of their decks and back yards. This jogging trail will provide a remote area where the security of these residents could be sacrificed. This is a concern to all residents in our edition. If the trails were ended before our edition, it would only cut the trails about a mile or less.
I hope this could be looked into.

Thank You

Dr. Stanley Diehl

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:38 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Comments on Draft Environmental Assessment for Crosstimbers Project at Skiatook Lake

-----Original Message-----

From: Norma Eagleton [mailto:eaglelaw@swbell.net]
Sent: Wednesday, August 21, 2002 11:07 AM
To: Nolen, Stephen L
Subject: Comments on Draft Environmental Assessment for Crosstimbers Project at Skiatook Lake

Mr. Stephen L. Nolen, Chief
Environmental Analysis and Compliance Branch
U.S. Army Corps of Engineers, Tulsa District
1645 South 101st Street East Avenue
Tulsa, Oklahoma 74128-4609

Re: Comments on Draft Environmental Assessment: Crosstimbers project at Skiatook Lake

Dear Mr. Nolen:

Please accept these comments and send your decision and all further notices/information regarding the project to me at the address given below.

I understand that a full environmental impact study has not been done since 1972. Three decades of changes on and around the lake dictate that an environmental assessment at this time is an inadequate predicate for major development on the lake.

Skiatook Lake is a special amenity and I object to the "privatization by lease" which is currently under consideration. I request that a complete environmental impact study be undertaken immediately before this or any other project progresses.

Thank you.

Norma H. Eagleton
320 South Boston Avenue
Tulsa, Oklahoma 74103
email: eaglelaw@swbell.net

PATTY EATON

35

August 21, 2002

Mr. Stephen L. Nolen, Chief
Environmental Analysis and Compliance Branch
US Army Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128
Email: Stephen.L.Nolen@usace.army.mil

Re: Comments on Draft Environmental Assessment for Crosstimbers Project at Skiatook Lake

Dear Mr. Nolen:

Please accept these comments on the draft environmental assessment for the Crosstimbers Project at Skiatook Lake which were prepared at my request by my attorney, Ted Zukoski.

It is my belief that a project as massive as that proposed cannot be built without significant environmental impact. That impact has not been adequately addressed in the published environmental assessment.

An EIS is required for a project this size, since so much has changed on Skiatook Lake and the surrounding area since the original EIS for Skiatook Lake was written in 1972. Issues that should be addressed are economic impacts to the citizens in the area, costs to taxpayers for leasing public land for private purposes, drinking water quality impacts, mitigation measures, and alternative recreational proposals, among others. The overriding issue is whether or not the COE can convert publicly owned open space to heavily developed industrial and recreational areas without meeting the requirements of federal laws.

I am submitting these comments as a concerned citizen living in the area of the lake. However, as a past Director of the Oklahoma Water Resources Board and Secretary of Environment for the State of Oklahoma my experience has been that careful study, full disclosure and adherence to environmental regulations are necessary for any project to avoid the environmental mistakes we have made in Oklahoma in the past.

Thank you for your careful consideration of these comments. I realize they are coming on the last day of the comment period, but hope you will review them thoroughly. Please contact me if you have any questions.

Sincerely,

Patty Eaton

**Comments on Draft Environmental Assessment for Crosstimbers Project at
Skiatook Lake**

Submitted by: Patty Eaton on August 21, 2002

For the reasons set forth below, the draft EA is inadequate and must be withdrawn unless and until a subsequent draft EA is issued for public review.

I. NEPA - General Standards.

The National Environmental Policy Act ("NEPA") is our nation's basic charter for the protection of our environment and it "contains 'action forcing' provisions to make sure that federal agencies act according to the letter and spirit of the Act." 40 C.F.R. § 1500.1. The Council on Environmental Quality ("CEQ") was created under NEPA to promulgate regulations "to tell federal agencies what they must do to comply with the procedures and achieve the goals" of NEPA. *Id.*

The purpose of NEPA is to "promote efforts which will prevent or eliminate damage to the environment." 42 U.S.C. § 4331. NEPA's fundamental purposes are to guarantee that: (1) agencies take a "hard look" at the environmental consequences of their actions before these actions occur by ensuring that the agency has and carefully considers "detailed information concerning significant environmental impacts," Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 349 (1989); and (2) agencies make the relevant information available to the public so that it "may also play a role in both the decisionmaking process and the implementation of that decision." *Id.* NEPA emphasizes "coherent and comprehensive up-front environmental analysis" to ensure an agency "will not act on incomplete information, only to regret its decision after it is too late to correct." Blue Mountains, 161 F.3d at 1216 quoting Marsh v. Oregon Natural Resources Council, 490 U.S. 360, 371 (1989); see also Foundation on Economic Trends v. Heckler, 756 F.2d 143, 157 (D.C. Cir. 1985) (emphasis in original) ("The NEPA duty is more than a technicality; it is an extremely important statutory requirement to serve the public and the agency before major federal actions occur.").

Federal agencies must prepare an environmental impact statement (EIS) for all "major federal actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332(2)(C). An EIS must identify and evaluate the environmental impacts of the agency's action as well as propose alternative actions. See 42 U.S.C. § 4332(C); see also 40 C.F.R. § 1500 et seq. NEPA requires federal agencies to analyze the direct, indirect, and cumulative impacts of the action. 40 C.F.R. §§ 1508.7, 1508.8.

An agency may first prepare an Environmental Assessment (EA) to determine whether the project may significantly affect the environment and requires a full EIS. 42 U.S.C. § 4332(2)(C); 40 C.F.R. § 1508.9; see also LaFlamme v. F.E.R.C., 852 F.2d 389, 397 (9th Cir. 1988) (evidence regarding the significance of the impacts need not be conclusive in order to compel the preparation of an EIS); National Parks & Conservation Ass'n v. Babbitt, 241 F.3d 722, 730 (9th Cir. 2001) (EIS required if project "may have a significant effect").

If an EIS is not required, the federal agency must provide a "convincing statement of reasons" why the project's impacts are insignificant and issue a Finding of No Significant Impact or "FONSI." 40 C.F.R. §§ 1501.4, 1508.9, 1508.13; Blue Mountain Biodiversity Project v. Blackwood, 161 F.3d 1208, 1211-12 (9th Cir. 1998), cert. denied, 527 U.S. 1003 (1999) quoting Save the Yaak Comm. v. Block, 840 F.2d 714, 717 (9th Cir. 1988).

CEQ regulations implementing NEPA recognize that intelligent decisionmaking can only derive from high quality information. EAs must provide "evidence and analysis" for their conclusions that making a FONSI or completing a full EIS is required. 40 C.F.R. § 1508.9. Information included in NEPA documents "must be of high quality. Accurate scientific analysis ... [is] essential to implementing NEPA." 40 C.F.R. § 1500.1(b). Where an agency has outdated, insufficient, or no information on potential impacts, it must develop the information as part of the NEPA process. CEQ regulations also explicitly require agencies to describe the "affected environment," 40 C.F.R. § 1502.15, and that NEPA documents disclose the underlying purpose and need for the proposed action. 40 C.F.R. §§ 1502.10(d); 1502.13.

II. The EA Relies Upon Stale NEPA Documentation.

A. Legal Background.

The Council on Environmental Quality (CEQ) has stated that where NEPA documents "are more than 5 years old," the agency should carefully reexamine the documents to determine whether supplementation is required. CEQ, "Questions and Answers about NEPA Regulations," 46 Fed. Reg. 18026 (Mar 23, 1981) as amended 51 Fed. Reg. 15618 (Apr. 25, 1986). The Corps' EIS for Skiatook's permit is now almost 15 years old. We are not aware that the Corps has reviewed its EA to determine if it continues to reflect the impact of the initial permit and/or the impact proposed permit modification.

CEQ regulations implementing NEPA explicitly require that an agency prepare a supplement to a draft or final EIS when there are "significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." 40 C.F.R. § 1502.9(c)(1)(ii). Supplementation is required "so that the agency has the best possible information to make any necessary substantive changes in its decision regarding the proposal." Id. Federal courts have enforced this standard.¹ The United States Supreme Court validated the CEQ regulations in 1989, stating that an agency's duty to comply with NEPA is ongoing and continues after the agency has made its decision based on a NEPA review. Marsh v. Oregon

¹ See Louisiana Wildlife Fed'n v. York, 761 F.2d 1044, 1051 (5th Cir. 1985) (holding agency failed to consider adequately supplemental information that raised "new concerns of sufficient gravity"); Puerto Rico Conservation Foundation v. Larson, 797 F.Supp. 1074, 1081 (D. P.R. 1992) (holding supplemental NEPA review required where agency sought to proceed with road project after completing EA, and where "both new information and new circumstances and new information that pertain to the project and its environmental effects" existed); Portland Audubon Soc'y v. Lujan, 795 F.Supp. 1489, 1500-01, 1506 (D. Or. 1992) (holding supplemental EIS required where agency sought to proceed with timber sales where new information regarding harm to wildlife existed) aff'd sub nom Portland Audubon Soc'y v. Babbitt, 998 F.2d 705 (9th Cir. 1993); National Wildlife Fed'n v. Hodel, 15 E.L.R. 20891, 20892-93 (E.D. Cal. 1985) (holding supplemental EIS required where agency sought to proceed with hunting where new information regarding harm to endangered species existed).

Natural Resources Council, 490 U.S. 360, 374 (1989). The Corps has essentially adopted the CEQ regulations as its own. 33 C.F.R. 230.13(b).

B. The Corps Improperly Relies on an Outdated Environmental Impact Statement.

The EA refers to the 1972 Final EIS for Skiatook Lake. EA at 1. The EA relies upon the 1972 EIS, for example, by stating that "the proposed project would result in additional losses or degradation of to the natural environment (terrestrial, aquatic, air) addressed in the project[] FEES. EA at 14. That EIS is now three decades old.

Much has changed in the area around Skiatook Lake in the last 30 years, including, but not limited to: population, land use, recreational use, local development, socio-economics in the region, etc. The Corps admits that the proposed project would result in "significant ... changes in the land" not anticipated in the 1972 EIS. Yet the EA fails to address whether that 1972 document must be supplemented before this project can go forward. Such a determination must be made, and such supplementation must occur before this project can go forward. The EA fails to address this issue.

III. The Draft EA Fails to Analyze a Range of Reasonable Alternatives.

A. Legal Background.

An agency's "hard look" must include a clear statement of the proposed project's "purpose and need." 40 C.F.R. § 1502.13. NEPA regulations clarify that the purpose and need statement "shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." *Id.* The agency must "take responsibility for defining the objectives of an action and then provide legitimate consideration to alternatives that fall between the obvious extremes." Colorado Environmental Coalition, 185 F.3d at 1174.

NEPA and regulations implementing it require agencies to consider all reasonable alternatives to an agency action in preparing environmental review documents, including EAs. NEPA requires agencies to:

Study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources.

42 U.S.C. § 4332(2)(E); see also 42 U.S.C. § 4332(2)(C)(iii). This duty to consider reasonable alternatives is independent and of wider scope than the duty to complete an EIS, and has been applied by the courts to extend to EAs as well. See Bob Marshall Alliance v. Hodel, 852 F.2d 1223, 1228-29 (9th Cir. 1988), cert. denied, 489 U.S. 1066 (1989) ("Consideration of alternatives is critical to the goals of NEPA even where a proposed action does not trigger the EIS process"); Natural Resources Defense Council v. U.S. Dept. of the Navy, 857 F.Supp. 734, 739-40 (C.D. Cal. 1994) (duty to consider reasonable alternatives is independent and of wider scope than the duty to complete an EIS); Sierra Club v. Watkins, 808 F.Supp. 852, 870 (D.D.C. 1991) (same);

Sierra Club v. Alexander, 484 F.Supp. 455 (N.D.N.Y. 1980) (same). It is intended to ensure that each agency decisionmaker identifies, evaluates, and takes into account all possible approaches to a particular proposal that would better address environmental concerns and the policy goals of NEPA. Although an agency need not consider every possible alternative, it must consider reasonable alternatives "necessary to permit a reasoned choice." Headwaters, Inc. v. Bureau of Land Management, 914 F.2d 1174, 1180-81 (9th Cir. 1990). Put differently, it must consider those alternatives that "would alter the environmental impact and the cost-benefit balance." Bob Marshall Alliance, 852 F.2d at 1228, quoting Calvert Cliffs' Coordinating Comm., Inc. v. U.S. Atomic Energy Comm'n, 449 F.2d 1109, 1114 (D.C. Cir. 1971).

Federal courts and CEQ regulations implementing NEPA make clear that the discussion of alternatives is "the heart" of the NEPA process. 40 C.F.R. § 1502.14. In order to "sharply defin[e] the issues and provid[e] a clear basis for choice among options by the decisionmaker and the public," environmental documents must explore and evaluate "all reasonable alternatives." Id.; see also Associations Working for Aurora's Residential Environment v. Colorado Dept. of Transportation, 153 F.3d 1122, 1130 (10th Cir. 1998) (citing All Indian Pueblo Council v. U.S., 975 F.2d 1437, 1444 (10th Cir. 1992). Thus, courts analyze the lead agency's fulfillment of this requirement by the "rule of reason," which means deferring to the agency's decision and explanation so long as the discussion of the alternatives "is sufficient to permit a reasoned choice among the options." Id. However, this deference does not give the lead agency "license to fulfill their own prophecies, whatever the parochial impulses that drive them." Citizens Against Burlington, 938 F.2d at 196.

Where an agency fails to include a reasonable alternative among its list of final alternatives, a court must "assume that the agency was unable to adequately incorporate environmental values into its decisionmaking process" and therefore violated NEPA. Surfrider Foundation v. Dalton, 989 F.Supp. 1309, 1326 (S.D. Cal. 1998). Since "[t]he existence of a viable but unexamined alternative renders an environmental impact statement inadequate," the USFS must perform further NEPA analysis to examine the CBA in detail. Alaska Wilderness Recreation and Tourism Association v. Morrison, 67 F.3d 723, 729 (9th Cir. 1995), citing Resources Ltd. v. Robertson, 35 F.3d 1300, 1307 (9th Cir. 1993); Citizens for a Better Henderson v. Hodel, 768 F.2d 1051, 1057 (9th Cir. 1985).

Regulations implementing NEPA require agencies to consider reasonable alternatives, even when those alternatives lie beyond the agency's jurisdiction. 40 C.F.R. § 1502.14(c) ("agencies shall ... [i]nclude reasonable alternatives not within the jurisdiction of the lead agency"). CEQ guidance reinforces this requirement. CEQ, Memorandum: Questions and Answers about the NEPA Regulations (aka "40 Questions") (Response to Question #2b: "A potential conflict with local or federal law does not necessarily render an alternative unreasonable").

Federal courts are equally clear that agencies have a duty to "study...significant alternatives suggested by other agencies *or the public* during the comment period." DuBois v. U.S. Dept. of Agric., 102 F.3d 1273, 1286 (1st Cir. 1996), cert. denied, 117 S.Ct. 1567 (1997) (emphasis added) (setting aside ski area expansion for its failure to consider citizen-proposed alternative). This duty has been reinforced by years of agency practice as it relates to

programmatic environmental impact statements like this one. For example, the Forest Service routinely incorporates citizen-proposed alternatives (including alternatives proposed by industry as well as conservationists) into its analysis of Forest Plan Revisions.

In addition, federal courts have made clear that agencies have a duty not define a project's purpose and need in such narrow terms that only one alternative can fulfill the project's goals. According to the Seventh Circuit Court of Appeals:

One obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as to define competing 'reasonable alternatives' out of consideration (and even out of existence). The federal courts cannot condone an agency's frustration of Congressional will. If the agency constricts the definition of the project's purpose and thereby excludes what truly are reasonable alternatives, the EIS cannot fulfill its role. Nor can the agency satisfy the Act.

Simmons v. United States Army Corps of Eng'rs, 120 F.3d 664, 665 (7th Cir. 1997) (US Army Corps violated NEPA by defining an impermissibly narrow purpose for the project and never looking at an entire category of reasonable alternatives); see also Muckleshoot Indian Tribe v. U.S. Forest Service, 177 F.3d 800, 814 n.7 (9th Cir. 1999). In addition, an alternative which would only partially satisfy the need and purpose of the proposed project must be considered by the an agency if it is "reasonable." Natural Resources Defense Council v. Callaway, 524 F.2d 79, 93 (2nd Cir. 1975); North Buckhead Civic Ass'n v. Skinner, 903 F.2d 1533, 1542 (11th Cir. 1990) ("a discussion of alternatives that would only partly meet the goals of a project may allow the decisionmaker to conclude that meeting part of the goal with less environmental impact may be worth a tradeoff with a preferred alternative that has greater environmental impact"); Citizens Against Toxic Sprays v. Bergland, 428 F. Supp. 908, 933 (D. Or. 1977) ("[a]n alternative may not be disregarded merely because it does not offer a complete solution to the problem").

B. The EA Fails to Examine a Range of Reasonable Alternatives.

The EA violates NEPA's alternative requirements. Most importantly, the range of alternatives appears directed solely by the proponent's desire for this specific type of project in this specific area. The "purpose" of the EA is listed as to assess the environmental impacts from the very proposal submitted to the Corps by a developer. EA at 1.

The purposes of Skiatook Reservoir are broad. There is a potential for a need to increase camping facilities and potentially marina facilities. See EA at 1. However, nowhere is there discussed any need to construct on federally-owned land a store, cabins, a golf course, conference facilities, or a "village" of some kind. The EA fails to discuss reasonable alternatives such as:

- a) alternate locations around Skiatook Lake on Corps-owned land for similar facilities;
- b) alternate locations around Skiatook Lake on private land adjacent to Skiatook Lake for similar facilities;

- c) approving only some of the facilities on Corps-owned land (such as the campground, which may be needed and a public benefit, but not the lodge, cabins, golf course, store, etc.);
- d) providing similar facilities at other nearby locations to relieve recreation pressure on Skiatook Lake (See Comment of Carol Mitchell, Appendix D);
- e) expanding existing boat ramps, rather than constructing an entirely new marina.
- f) Providing low impact camping and boating recreation for local organizations and youth groups (i.e. Girl Scouts, Boy Scouts etc.)

While I would not necessarily endorse any of these alternatives, the Corps must analyze them to comply with law and to understand the costs and benefits of the proposed action. Otherwise, the Corps will appear to have "contrive[d] a purpose so slender as to define competing 'reasonable alternatives' out of consideration (and even out of existence)," a practice for which it was held to violate NEPA by the 7th Circuit in the case of Simmons v. United States Army Corps of Eng'rs, 120 F.3d 664, 665 (7th Cir. 1997).

Indeed, this project appears to be merely a hand-out to a particular well-connected developer, with more benefits for the developer than to the public.

As discussed above, it is not necessary for the Corps to be able to implement these alternatives to consider them.

IV. The Draft EA Fails to Disclose the Effectiveness of Mitigation Measures.

A. Legal Background.

Implicit in NEPA's statutory language is the expectation that the agency will identify measures to mitigate environmental impacts that cannot be avoided. Robertson v. Methow Valley Citizens Council, 109 S.Ct. 1835 (1989); see also Holy Cross Wilderness Fund v. Madigan, 960 F.2d 1515, 1522 (10th Cir. 1992). The CEQ's regulations also require a discussion of mitigation measures, 40 C.F.R. §§ 1508.25(b), 1502.14(f), 1502.16 (h), 1505.2 (c), "in sufficient detail to ensure that environmental consequences have been fairly evaluated."

It takes more than bald assertions of the effectiveness of mitigation measures to support a FONSI and avoid the necessity of a full environmental impact statement. "Speculative and conclusory statements were insufficient to demonstrate that the mitigation measures would render the environmental impacts so minor as to not warrant an EIS." National Parks & Conservation Association, 241 F.3d 722, 735 (9th Cir. 2001); see also Stein v. Barton, 740 F.Supp. 743, 754 (D. Alaska 1990) ("where an agency's decision to proceed is based on unconsidered, irrational, or inadequately explained assumptions about the efficacy of mitigation measures, the decision must be set aside as "arbitrary and capricious."); Morgan v. Walter, 728 F.Supp. 1483, 1491 (D.Idaho 1989) (finding NEPA documentation inadequate where federal agency failed to "specifically state in their EA's how the mitigation measure will address ... adverse impacts").

As many federal courts including the Tenth Circuit have held, a mere listing of mitigation measures does not meet NEPA's demands. An agency's analysis of mitigation measures "must be 'reasonably complete' in order to 'properly evaluate the severity of the adverse effects' of a proposed project prior to making a final decision." Colorado Environmental Coalition v. Dombeck, 185 F.3d 1162, 1173 (10th Cir. 1999) citing Robertson v. Methow Valley, 490 U.S. 332, 352 (1989). In Dombeck, the Tenth Circuit concluded that the Forest Service had adequately analyzed mitigation measures where it assigned numerical effectiveness ratings to each following individual analysis and evaluation. Id.; see also Idaho Sporting Congress v. Thomas, 137 F.3d 1146, 1151 (9th Cir. 1998) (court rejected "mere listing" of mitigation measures in EA where analytical data were lacking); Neighbors of Cuddy Mountain v. United States Forest Service, 137 F.3d 1372, 1381 (9th Cir. 1998) ("mere listing of mitigation measures is insufficient to qualify as the reasoned discussion required by NEPA.") (emphasis added); Northwest Indian Cemetery Protective Association v. Peterson, 764 F.2d 581, 588 (9th Cir. 1985), rev'd on other grounds 485 U.S. 439 (1988) (NEPA requires agencies to "analyze the mitigation measures in detail [and] explain how effective the measure would be. ... A mere listing of mitigation measures is insufficient") (emphasis added). In cases where the effectiveness of mitigation measures is unknown or speculative, the agency must prepare an EIS so that the agency can fully study and analyze the measures and so that the public has an opportunity to effectively comment on them. 40 C.F.R. § 1508.27(b)(5); National Parks & Conservation Association, 241 F.3d at 735. See also National Audubon Society v. Hoffman, 132 F.2d 7, 17 (2nd Cir. 1997) (mitigation measures relied upon by agency to conclude that impacts would be reduced below level of significance must be supported by "substantial evidence").

B. The EA Fails to Disclose the Effectiveness of Mitigation Measures.

In this case, the Corps obviously engages in the prohibited behavior of relying on a mere list of vague mitigation measures with unknown effectiveness to determine the Project will have no significant impact.

The only mitigation measures listed in the "mitigation plan," EA at 14, are as follows:

- rezoning the intensity of use of the property on areas of the lake not slated for development. The EA contains no discussion as to who will rezone (the Corps? A local government?), whether rezoning could be opposed and defeated by local landowners, whether development of the other parcels was a foreseeable or remote possibility, the ecological values of the other areas compared to those being destroyed for the development proposed here, etc. In short, the EA contains no discussion of who would implement the measure, how the mitigation measure would be implemented, let alone the effectiveness of this measure.
- the addition of "various habitat enhancements such as wetlands and bird nesting habitats." The number, extent, location, type and potential effectiveness of such 'enhancements' are nowhere addressed, nor are the species that the 'enhancements' would purportedly benefit. Human-created habitats interspersed with new development are usually far less effective as habitat than existing habitats (as Corps wetland guidelines, which often require 2:1 mitigation, clearly acknowledge).

- "Property at Tall Chief Cove not used for construction ... is planned for a nature and wildlife area." This proposed measure does not discuss who has "planned" to protect the area (the developer? the Corps?), nor the extent or value of the wildlife habitat to be "not used for construction. Neither the public nor the decisionmaker can reach any conclusion about this measure's effectiveness (if any).

Other potential mitigation measures include a "turf management plan" for the golf course to reduce non-point source runoff into the lake. However, while the developer may have proposed putting together such a plan, are there any guarantees in the Corps' lease agreement that these plans will remain in effect, or that they will be followed, or that significant penalties will be leveled for non-compliance? These appear to be mere promises of the developer that could change once the project is built. See EA at Appendix B, Cross Timber Golf Course, Design Guidelines (containing only vague references to plans that could be adopted in the future). The Marina Environmental Guidelines (Appendix B) are so vague as to be meaningless (e.g., "properly dispose of chemicals," "training for operators," "controlled parking lot runoff," "design an operation to enhance fish habitat"). There is simply no reason to believe that mere promises by a developer, over whom the Corps may have little power once a lease is granted, will result in any mitigation of potential impacts.

If the Corps intends to retain some authority to ensure the implementation of turf management plans, marina environmental features, etc., this must be disclosed in any subsequently prepared NEPA document. If it does not retain such authority, it is difficult to understand: (a) why the Corps would consider the proffered "mitigation" measures to be effective at reducing any kind of environmental impact; and (b) how the Corps could possibly comply with its regulations to effectively monitor the implementation of mitigation measures, as required by agency NEPA regulations, 33 C.F.R. § 230.15.

V. The Draft EA Fails to Disclose Cumulative Impacts.

A. Legal Background.

To determine whether a project may have significant impacts requiring a full EIS and to ensure that the combined effects of separate activities do not escape consideration, NEPA requires the Corps to consider cumulative environmental impacts in their environmental analyses. As required by 40 C.F.R. § 1508.27(b), in determining the significance of a proposed project, the Corps must consider whether the action is "related to other actions with individually insignificant but cumulatively significant effects." NEPA regulations define cumulative impact as:

the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Federal agencies must “catalogue” and provide useful analysis of past, present, and future actions. City of Carmel-By-The-Sea v. U.S. Dept. of Transp., 123 F.3d 1142, 1160 (9th Cir. 1997); Muckleshoot Indian Tribe v. U.S. Forest Service, 177 F.3d 800, 809-810 (9th Cir. 1999). Furthermore, NEPA requires that the Corps' cumulative impacts analysis provide “some quantified or detailed information,” because “[w]ithout such information, neither courts nor the public . . . can be assured that the Forest Service provided the hard look that it is required to provide.” Neighbors, 137 F.3d at 1379 (emphasis added); see also id. (“very general” cumulative impacts information was not hard look required by NEPA); Natural Resources Defense Council v. Hodel, 865 F.2d 288, 299 (D.C. Cir. 1988) (“perfunctory references do not constitute analysis useful to a decisionmaker in deciding whether, or how, to alter the program to lessen cumulative environmental impacts.”).

B. The EA Fails to Disclose Past, Ongoing, or Reasonably Foreseeable Projects that May Occur Near the Project Area.

In the barely one and one-quarter page Cumulative Impacts section of the EA (at 13-14), the Corps fails to catalogue virtually any past, present, or reasonably foreseeable future actions. The EA contains no discussion of past development at the Lake at all. There is mention of one street extension proposed in the EA (at 13). No future development proposal - whether on private or public land - is discussed anywhere in the EA. The potential impact of proposed resurfacing projects identified on the INCOG map in Appendix B do not appear to be mentioned anywhere in the EA. The impact of rezoning “property in other areas of the lake” (EA at 14), particularly on other or nearby landowners, is nowhere addressed.

VI. The EA Fails to Take a 'Hard Look' at Environmental Impacts.

The EA fails utterly to address a number of impacts.

For example, in public comments previously submitted, adjacent landowners worried about the visual impacts of the project. See Comment of Carol Mitchell, Appendix D; Comment of Joe Mitchell (calling Skiatook “one of Oklahoma's most scenic lakes”). Visual impacts are nowhere addressed in the EA, except for the incredibly vague comment that the project will “fit in with its surroundings.” The EA does not explain how a major golf course development, RV park, cabins, lodges and scores of acres of development will “fit in” to a previously largely undisturbed area.

Economic impacts are given scant attention. For example, nowhere is the cost to the taxpayer of essentially handing over hundreds of acres to a private developer. Impacts on local businesses are nowhere discussed despite requests by members of the public that the EA contain specific information concerning economic impacts. See Appendix D, comment of Sam Avant; comment of Richard Barton. Impact on private parties who might be considering constructing similar facilities in alternate locations is nowhere addressed.

Impacts to adjacent landowners from construction and use of the proposed facilities are nowhere addressed, despite public requests for such analysis, and an apparent failure by the Corps to even notify local landowners of the project. Appendix D, comment of Kevin Clough. Because it ignores existing land-uses in the area, the EA also fails to adequately describe the existing environment as required by NEPA.

Issues of who will control the development, and whether the current developer can flip the property to another developer, are also not addressed, though raised by the public. Appendix D, comment of Kevin Clough. Issues of the exact terms of the lease are also not addressed, though the level of the Corps' authority to limit or control development are critical to determining whether that public agency will retain any authority to protect publicly-owned lands.

VII. The Corps Must Prepare an EIS on the Project.

A. Legal Background.

Federal courts have made clear that it is not proof of significant impacts that triggers the requirement that an EIS be prepared. Those challenging an agency's failure to prepare an EIS need only show that a proposed action may cause significant impacts. Plaintiffs need not demonstrate that significant impacts will, in fact, occur. See Blue Mountains Biodiversity Project v. Blackwood, 161 F.3d 1208, 1216 (9th Cir. 1998), cert den., 527 U.S. 1003(1999) ("[a]n EIS is required whenever substantial questions are raised as to whether a project may cause significant [environmental] degradation") (citations and quotation marks omitted); Idaho Sporting Congress v. Thomas, 137 F.3d 1146, 1149 (9th Cir. 1998) ("An EIS *must* be prepared if substantial questions are raised as to whether a project *may* cause significant deterioration of some environmental factor") (emphasis in original) (citations and quotations omitted); LaFlamme v. FERC, 852 F.2d 389, 397 (9th Cir.1988); Foundation for North American Wild Sheep v. United States Department of Agriculture, 481 F.2d 1172, 1178 (9th Cir. 1982); Save Our Ten Acres v. Kreger, 472 F.2d 463, 467 (5th Cir. 1973) ("if the court finds that the project may cause a significant degradation of some human environmental factor (even though other environmental factors are affected beneficially or not at all), the court should require the filing of an impact statement") (emphasis added); Louisiana Wildlife Fed'n v. York, 761 F.2d 1044, 1052 (5th Cir. 1985); Sabine River Auth. v. U.S. Dept. of Interior, 951 F.2d 669, 678 n.2 (7th Cir. 1992).

"[W]hen it is a close call whether there will be a significant environmental impact from a proposed action, *an EIS should be prepared.*" National Audubon Society v. Hoffman, 132 F.3d 7, 18 (2nd Cir. 1997) (emphasis added). It is only when the proposed action "*will not* have a significant effect on the human environment ... that an EIS is not required." Id. at 13 (emphasis supplied by court).

Significance is based upon the "intensity" and "context" of the action. 40 C.F.R. § 1508.27. "Context" refers to the geographic and temporal scope of the agency action and the interests affected. Id. § 1508.27(a). "Intensity" addresses the severity of the impacts. Id. at § 1508.27(b). Factors relevant to intensity include the presence of "uncertain impacts or unknown risks," whether the action is "related to other actions with individually insignificant but

cumulatively significant effects," whether the project "threatens a violation" of other laws or requirements, and "the degree to which the action may establish a precedent for future actions". Id. at § 1508.27(b). 40 C.F.R. § 1508.27(b). "The presence of one or more of these factors should result in an agency decision to prepare an EIS." Public Service Company of Colorado v. Andrus, 825 F. Supp. 1483, 1495 (D. Id. 1993), citing LaFlamme v. FERC, 852 F.2d 389, 398 (9th Cir.1988).

B. The Corps Must Prepare an EIS.

The Corps must prepare an EIS because at least two of the measures of "intensity" will be triggered. First, this project threatens a violation of Corps requirements concerning the type of density of development for which the Lake and vicinity are zoned. EA at 14. In addition, the proposal to "update" the "project master plan" (EA at 14) would appear to either be occurring simultaneously or after this project, and the need for this updating appears to be the industrial recreation development proposed here.

Second, the proposal to turn over nearly a square mile of valuable federal lands over to a developer for no financial consideration at all, for the purpose of fostering a large-scale industrial recreation development is, in our experience, utterly without precedent. The precedent-setting nature of the project is admitted in Appendix D (Public Information Workshop, p. 2), which describes this development as a "pilot project." Public comments also noted that the Corps is "setting a precedent for other groups to develop along the shoreline of Skiatook Lake." Comment of Carol Mitchell, Appendix D. This raises the issue of whether it is appropriate at all to take publicly-owned open space and natural areas and convert them into heavily developed industrial recreation facilities. This issue alone should require preparation of a more exhaustive EIS.

Third, the mere scale of development is significant. An area of a lake used for rural recreation is essentially slated to be turned into a heavily developed urban landscape, complete with a golf course, conference facility and a "village." This change in character of the landscape - nowhere addressed in the EA, is significant in and of itself. The change in character is one that will significantly harm those who believed that the recreation lands around the lake would remain as open space, as opposed to heavily developed. Appendix D, comment of Kevin Clough.

Thus for at least three reasons, the Corps must prepare an EIS.

CONCLUSION.

For the reasons set forth above, the draft EA is inadequate and must be withdrawn unless and until a subsequent draft EA is issued for public review. In any event, I support the adoption of the "No Action" alternative.

Thank you for this opportunity to comment. Please send me a copy of any decision or subsequently prepared NEPA document.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:39 PM
To: Vogele, Louis E SWT
Subject: FW:

-----Original Message-----

From: stevee12@mindspring.com [mailto:stevee12@mindspring.com]
Sent: Wednesday, August 21, 2002 9:54 AM
To: Nolen, Stephen L
Subject:

Dear Mr. Nolen,

I am writing in support of the Skiatook Lake Crosstimbers project. One of my passions is economic development. Over the years I have worked on many projects, including the transfer of Air Force Plant # 3 to the City of Tulsa. Making the lake a bigger part of the Tulsa area economy will be a huge advantage for all of northeast Oklahoma. I applaud you on your efforts and those of the Corps.

Sincerely,
Steve Edwards

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:26 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers Development on Lake Skiatook

-----Original Message-----

From: Gary [mailto:sstation@tulsa.oklahoma.net]
Sent: Wednesday, August 21, 2002 3:33 PM
To: Nolen, Stephen L
Subject: CrossTimbers Development on Lake Skiatook

Just a brief note to register my support for the CrossTimbers Development on Lake Skiatook. I believe Tulsa and the surrounding vicinity need a high quality lake recreation/conference facility to accommodate the many needs of its business, civic, spiritual, educational and individual users. It will fill a niche between Grand Lakes' highly developed but distant facilities and Keystones non-existent ones.

It can't help but benefit the economic development of the Skiatook area and Northeast Oklahoma.

Cordially,

Gary Harkreader

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:39 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW:


-----Original Message-----

From: Derik Hendrix [mailto:derikhendrix@hotmail.com]
Sent: Wednesday, August 21, 2002 11:38 AM
To: Nolen, Stephen L
Subject:

Stephen,

Hello my name is Derik Hendrix I'm the owner of H&R Real Estate Investments Co.L.L.C. and co-owner of H&W Real Estate Investments Co.L.L.C. We are in the process of developing a triple (AAA) luxury apartment community at Skiatook Lake. I also own more land joined to the new Cross Timbers project. I am e-mailing to you how important the Cross Timbers project is to our development and we support the lease 100%. The growth is need for the area and the type of development Cross Timbers is bringing can only help the community. I look forward to hearing that the lease was approved.

Thank You,

 Derik Hendrix

Join the world's largest e-mail service with MSN Hotmail.
<http://www.hotmail.com>

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:24 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers Project

-----Original Message-----

From: Joyce Jech [mailto:jjech@skiatook.k12.ok.us]
Sent: Monday, August 21, 2000 5:22 PM
To: Nolen, Stephen L
Subject: Cross Timbers Project

Dear Stephen,

I am very supportive of the Cross Timbers Project for Skiatook. It will benefit Skiatook and the Tulsa area. Please keep an open mind and realize there are a lot of people who want this project to become a reality.

Sincerely,
Joyce Jech

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:25 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers

-----Original Message-----

From: Renaye Johnston [mailto:rjohnston9237@prodigy.net]
Sent: Wednesday, August 21, 2002 7:21 PM
To: Nolen, Stephen L
Subject: Cross Timbers

As a local business owner I'm excited about the increase in traffic and potential customers to the Skiatook Area. On a personal note my husband and I will enjoy the added entertainment for lake fun.

Renaye Johnston
Stems
1529 W Rogers Blvd
Skiatook Ok 74070

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:27 PM
To: Vogele, Louis E SWT
Subject: FW: CROSS TIMBERS PROJECT

-----Original Message-----

From: LFI_Grafix@aol.com [mailto:LFI_Grafix@aol.com]
Sent: Wednesday, August 21, 2002 3:20 PM
To: Nolen, Stephen L
Subject: CROSS TIMBERS PROJECT

Mr. Nolan...although we have never met, I wanted to drop you a quick note to thank you for all your efforts now and in the future concerning Cross Timbers. As a business owner in Tulsa for many years, while living in the Sperry/Skiatook area for over 20 years (transplanted from Colorado), I have always been somewhat frustrated by the lack of development in Oklahoma in general and our Skiatook area in particular. I have relatives in the Branson area, and must admit to being jealous of their world class facilities there...but when you really compare the two, except for 30 years of development there, the two areas geographically are remarkably similar. Could it possibly be that our beautiful area could be the next "super resort" in this part of the country? THE THOUGHT ALMOST MAKES ONE WEEP!

I'm not exactly sure how I can contribute, but may I at least leave you with this: My company manufactures some of the finest printed t-shirts, stickers, caps in the nation...could we do something to start the PR ball rolling in this area to promote the excitement that will surely build? It's a thought...Give me a call if you ever need what input I can contribute.

ALBERT KLEIN
CEO & Gen. Mgr.
LFI GRAPHIC PRODUCTS, INC.
Skiatook phone: 396-2004(W) 396-7437(H)

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Friday, August 23, 2002 7:14 AM
To: Vogele, Louis E SWT
Subject: FW: Cross Timber Project

-----Original Message-----

From: NativeWinds@aol.com [mailto:NativeWinds@aol.com]
Sent: Thursday, August 22, 2002 10:39 PM
To: stephen.l.nolen@usace.army.mil.; derikhendrix@hotmail.com
Subject: Cross Timber Project

Dear Mr. Nolan:

I'd like to introduce myself. My name is Cheryl (Wilson) Davis and I currently live in Norman, Oklahoma. I am married to Norman Davis and have two sons (Brant is 27 and married; the youngest, Kyle, is 17 and a senior at Norman H.S.) My husband and I have a mobile diagnostic ultrasound business that services rural hospitals and clinics in Oklahoma. We have been in the medical business since 1985. We also raise performance horses. Additionally, I am a Native American Artist and have painted professionally since 1986. Maybe you have seen the headdress I painted on the roof of the Tall Chief Cove Convenience Store? It is painted as if it were "beaded." It was a "two summers" project.

I grew up in Osage County, attending Sperry schools. My father, David Wilson, purchased land and moved us to Sperry from Tulsa around 1965. He had early visions then of what could be possible in the area and through the years I have watched his visions become reality. It has been amazing to watch it develop from nothing into "a very special place." I take pride in knowing that he was a part of that, donating easements and property along with a lot of hard work and sweat to help make it happen.

My husband and I own several lake lots and plan to build a lake home there in the future. I have also joined my family in the development of a multimillion dollar luxury townhouse complex on part of this land. Our goal is to break ground before January of 2003. We are working with the Cross Timbers Developers to create an amazing community that I believe will only enhance the lake area, not to mention that it will be a wonderful place to live. I believe it will also have a very positive effect on the surrounding communities. The nearby towns can "only benefit" from this economic boost. It will provide wonderful homes for new taxpayers, create jobs, generate new business while increasing property values to the surrounding areas/properties.

Our family cares about these communities. We are committed to making sure this is a top-quality complex. Thank you for allowing me to voice our excitement for this project.

Please contact me if I can be of any assistance or if you have any questions concerning same. My home number is 405-329-0943; Norman Davis' cell is 405-818-4205; Cheryl Davis' cell is 405-413-0808.

Sincerely,

Cheryl and Norman Davis
1401 36th Avenue S. E.
Norman, OK 73026-4729

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Friday, August 23, 2002 7:13 AM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers Development

-----Original Message-----

From: England, Don [mailto:DENGLAN@citgo.com]
Sent: Thursday, August 22, 2002 7:29 PM
To: 'Stephen.L.Nolen@usace.army.mil'
Subject: Cross Timbers Development

Dear Mr. Nolen

I want to express my support the Cross Timbers Development project at Skiatook Lake. It should be a major economic stimulus for Skiatook and surrounding areas. It will also provide a very attractive conference site for Business meetings for companies such as CITGO who I currently work for. In general, this will be another positive move to make Tulsa and the surrounding area a more attractive convention and business location.

Thank you for considering my opinion in the final decision on this project.

Sincerely,

Don England (Manager Product's Trading - CITGO Petroleum)

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8/25/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:26 PM
To: Vogele, Louis E SWT
Subject: FW: hello

-----Original Message-----

From: teresa lusk [mailto:teresalusk@hotmail.com]
Sent: Wednesday, August 21, 2002 4:52 PM
To: Nolen, Stephen L
Subject: hello

To: Stephen L. Nolen

First, I wish to thank you for all your help, unfortunately I was unable to get all the articles in print to you.

I have spoke to numerous residents of the Skiatook regarding the development of Skiatook Lake, and concerns about the drinking water. Skiatook treatment plant has had problems keeping up with the rapid growth of this area. We feel that the proposed development would only compound the problem. I was unable to obtain information that I felt would show how serious the problem really is, but I will send it to you as I am able to squeeze it out of certain people.

Thank you again.
T. Lusk

Chat with friends online, try MSN Messenger: <http://messenger.msn.com>

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:28 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers Project

-----Original Message-----

From: Judy Martens [mailto:jmartens@skiatookchamber.com]
Sent: Wednesday, August 21, 2002 1:39 PM
To: Nolen, Stephen L
Cc: rhowell
Subject: CrossTimbers Project

Dear Stephen,

As the Executive Director of the Skiatook Chamber of Commerce, I am in constant contact with most all of my Chamber Members. The consensus of my membership is that this project will be a shot in the arm for our economy like we've never seen before or will probably ever see again. All comments directed to me have been of the most positive nature. I already have businesses and individuals inquiring as to when the convention center will be complete so that they might hold meetings, conferences, receptions, etc. in that facility. Everyone is truly excited to share the natural beauty of Skiatook Lake with a pro-quality golf course like the one planned.

Speaking for the Chamber Board of Directors and the vast majority of our membership, I urge you to approve this project. Let's get movin' and make Skiatook and the surrounding areas an even better place to live, work and for sure, a better place to play!

Judy Martens

8/22/2002

LeRoy Parno
HC 67 BOX 315
Skiatook Oklahoma 74070
918-396-0451

August 21, 2002

Chief of Environmental Studies

Steve L Nolen (fax 918-669-7546)

Dear Steve L Nolen:

I'm writing in regards to the newly proposed development on Skiatook Lake.

My concerns are as follows:

What will be the impact of the area if the proposed development fails in the future?

What will be the developers' solution to Sky Glow and how will they prevent it from crossing their property lines, and also affecting the dark sky, which is enjoyed all?

(Simple Solution is to ban all exposed lights and any fixtures that do not cover the bare bulbs and produce glare)

Coming from an area called Lake Minnetonka, in Minnesota, I have seen all the problems that come from this type of development and can assure you that they can not succeed on a 6-month season

When Minneapolis and Saint Paul could not support the business on Lake Minnetonka for any more than 6-months out of the year how do you think a small town like Tulsa going to support this? (Most people starved to death during the off season)

And also, no matter how much you spend, you will never be able to draw any more people to the lake after Labor Day. Millions of dollars have been spent trying and in the end, wasted.

Since they are only trying to generate their income from this seasonally traffic and possible from some late fall, early spring campers this will fail from the beginning and the developers will walk and leave us holding the bag for cleanup

I think, what needs to be done is to allow Skiatook to develop on it's own pace for a few more years and let mother nature take her time and develop it into the jewel most people think it should be

Rushing a development will not benefit anyone except those who do not live the area

I think some more studies should be done, and when the numbers speak for themselves than I would think that such a development would be possible

August 21, 2002

The numbers for Lake Minnetonka didn't make sense until the early 80's and only when the residential areas surrounded the lake

I have seen a 50% drop in my boat rental business this year on Skiatook and with the economy the way it is, I doubt that it will return anytime soon.

I would like to see something like this in the future but not until the demands call for it and that will be many years to come.

God created this lake with the help of man's hands lets not ruin it with a shotgun development!

If you would like to talk to me in the future, you can reach me at 918-396-4240 ext. 203

Sincerely,

LeRoy Parno
Owner
Skia took Yacht Club/Boat Rental

lp

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:22 PM
To: Vogele, Louis E SWT
Subject: FW: Skiatook

-----Original Message-----

From: AKPerez@aol.com [mailto:AKPerez@aol.com]
Sent: Wednesday, August 21, 2002 7:31 PM
To: Nolen, Stephen L
Cc: jmartens@skiatookchamber.com
Subject: Skiatook

I VOTE YES ON CROSS TIMBERS!

Angela Perez
Owner- Señor Salsa Mexican Restaurant/Skiatook

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:35 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Cross Timbers Project

-----Original Message-----

From: Mirror317@aol.com [mailto:Mirror317@aol.com]
Sent: Wednesday, August 21, 2002 10:23 AM
To: Nolen, Stephen L
Cc: jmartens@skiatookchamber.com
Subject: Cross Timbers Project

To whom it may concern,

We are Jack & Jami Porter, owners of Mirror Image Screenprinting & Embroidery in Skiatook. We are in favor of the Cross Timbers project on Skiatook Lake as it would encourage economic growth in the surrounding communities. The championship golf course is something the whole area would benefit from and one that we would use. We are definitely in favor of this.

Jack & Jami Porter
Mirror Image
317 E. Rogers
Skiatook, OK 74070

8/21/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:37 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW:

-----Original Message-----

From: Mark Schell [mailto:mark.schell@UnitCorp.com]
Sent: Wednesday, August 21, 2002 10:52 AM
To: 'Stephen.L.Nolen@usace.army.mil'
Cc: Allison Greene (jamag1234@cox.net)
Subject:

Steve thank you for taking the time to visit with me regarding our concerns with the planned development of the Corp. property surrounding our property. As I mentioned, our information does not show that the development calls for the building of a park and or cabins on the west end of our property. However, several people have indicated that they believe that to be the case. If so, we do not see how that can be accomplished without destroying the current layout of this part of the lake front.

We would like to request that the developers please reply to our concerns and advise us regarding the development that they do in fact plan to carry out on this part of the lake.

Mark E. Schell
General Counsel
Unit Corporation
1000 Kensington Tower
7130 South Lewis
Tulsa, Oklahoma USA 74136
E-mail: mark.schell@unitcorp.com
Telephone: 918-493-7700
Facsimile: 918-493-7711
Mobile phone: 918-691-5222

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Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:37 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Skiatook Lake

-----Original Message-----

From: Mark Schell [mailto:mark.schell@UnitCorp.com]
Sent: Wednesday, August 21, 2002 10:40 AM
To: 'Stephen.L.Nolen@usace.army.mil'
Cc: Allison Greene (jamag1234@cox.net)
Subject: Skiatook Lake

August 21, 2002

Dear Mr. Nolen:

I represent the interest of the Schell family regarding the proposed development at Skiatook Lake. My family owns property that will be directly impacted by this development, both from a physical as well as from an economic standpoint. We currently have a great deal of concern regarding what we believe to be the planned development of that part of the project laying west of our property. Although this is not the best method to express our concerns, we want to be on record that until we can obtain further information regarding this part of the development, that we are objecting to it as a result of the direct physical and environmental consequences that the development would have on this particular piece of property. Currently, based on the information we have, we can not see any reasonable way that the development could proceed with out destroying the current ecostructure and physical aspects of the this part of the lake front.

I would like the opportunity to further express our concerns regarding the project and ask that you please register our objections and provide us with the opportunity to make our concern further noted.

Mark E. Schell
General Counsel
Unit Corporation
1000 Kensington Tower
7130 South Lewis
Tulsa, Oklahoma USA 74136
E-mail: mark.schell@unitcorp.com
Telephone: 918-493-7700
Facsimile: 918-493-7711
Mobile phone: 918-691-5222

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8/21/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:44 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Attached letter

-----Original Message-----

From: Ron Howell [mailto:rhowell@statesource.com]
Sent: Wednesday, August 21, 2002 12:39 PM
To: Stephen Nolen
Subject: Attached letter

Stephen-

This is the other letter from a Skiatook resident that asked that I send to you as they do not have email.

August 21, 2002

Dear Stephen,

I am a resident of Skiatook and support the CrossTimbers development at the lake. It is important to the growth of our community, and it is widely supported by the citizens of Skiatook. StateSource has done an excellent job communicating with all of us, and they have earned our trust. This will be a colossal disappointment to this community if this great project is not given the leases, as our future growth largely depends on lake development. We are one of Oklahoma's poorest counties, and this type of opportunity for development by the private sector rarely comes along.

I urge your support.

Sharon Shearer
396-7396
Skiatook, Oklahoma

8/21/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:27 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers Project at Skiatook Lake

-----Original Message-----

From: david smith [mailto:docunet@swbell.net]
Sent: Wednesday, August 21, 2002 3:36 PM
To: Nolen, Stephen L
Subject: CrossTimbers Project at Skiatook Lake

Mr Nolen,

I wanted to tell you how excited I am at the prospect of having a world-class entertainment and conference center in our midst. As a Skiatook business and property owner (and a would-be golfer), I can not think of a better development for our area. The positive impact on our local economy and tax base would be tremendous. Having met and worked with the folks at StateSource, I know the project will be first class all the way. Good luck as the process moves forward.

Sincerely,

David L. Smith

DocuNet 5801 West Cherokee Road Skiatook OK 74070 918-396-0399

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:22 PM
To: Vogele, Louis E SWT
Subject: FW: Skiatook Lake Development

-----Original Message-----

From: bswan@ghx.com [mailto:bswan@ghx.com]
Sent: Wednesday, August 21, 2002 6:12 PM
To: Nolen, Stephen L
Subject: Skiatook Lake Development

Stephen,

As one who has a passion and love for Skiatook lake, I am sending this note in support of the Crosstimbers Development on Skiatook Lake. This state is in dire need of a first class, blue chip resort that puts this state on the map and impacts the entire people of Oklahoma.

Due to the fact that Oklahoma is going through a "challenging time" with the Williams and WorldCom lay offs, I could not have heard more encouraging news than that of two men willing to invest their time and money to benefit the town of Skiatook and surrounding areas for generations to come.

One of the most encouraging aspects of this project- it shows that we have forward thinkers who care about Oklahoma!

Sincerely,
Brad

Brad N. Swan
Corporate Account Manager
Global Healthcare Exchange
2132 E. 32nd St
Tulsa, OK 74105
918.742.4445 Office
918.742.4650 Fax
918.671.0771 Mobile
bswan@ghx.com

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:42 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Attached letters Re: Crosstimbers Development

-----Original Message-----

From: Ron Howell [mailto:rhowell@statesource.com]
Sent: Wednesday, August 21, 2002 12:30 PM
To: Stephen Nolen
Subject: Attached letters Re: Crosstimbers Development

The following letter was sent on behalf of Cliff Taylor, who does not have email. He asked that I pass it along to you. He can be reached at 636-2095 should you have questions.

August 21, 2002

Dear Mr. Nolen,

I am writing to urge your approval of leases on Skiatook Lake for the CrossTimbers development. I serve as President of the Skiatook Chamber and am a member of the Board of the Skiatook Economic Development Authority. It is vital to our community that this project occur, as it is in keeping with the planned development of the lake from the time of the lake's conception. Skiatook Lake has always been designed to be a recreational lake, and that is why it was selected for the Demonstration Lakes program. The development planned by our sublessee, StateSource, is in keeping with similar developments on numerous Corps lakes around the United States. We desperately need the championship golf course, cabin and conference accommodations and additional campgrounds that this planned development will provide. We particularly need a new and better managed marina operation on the lake, and the competition this will provide to the existing marina will benefit all of the customers involved.

I think this is the most vital rural economic development project we could ever hope to see on the lake. StateSource and their partners represent the finest and most experienced team we could ever hope to have invest in our community. I urge your expediting these leases before we lose more campers and recreational enthusiasts to other states that are more developed.

Cliff Taylor
Owner-Taylor Motors
Skiatook, OK

8/21/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:22 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timber Project

-----Original Message-----

From: Lee Vertrees [mailto:leev@brightok.net]
Sent: Wednesday, August 21, 2002 10:18 PM
To: Stephen Nolan
Cc: derikhendrix@hotmail.com
Subject: Cross Timber Project

Mr. Nolan,

My name is Lee Vertrees. I own a lot on Skiatook Lake. I am very familiar with the development and growth of the Skiatook Lake area, and have watched its progress for over 30 years. I graduated from Sperry High School. My father, Dave Wilson has been a land owner in this area since the 1960's. He has been influential in the current success of the area, particularly Tall Chief vicinity. His construction company completed many of the projects around the lake. He worked diligently to get easements through his property and other land owner's property so that Tall Chief Park and the road across the dam could be built. He has donated many hours of labor to the lake project.

Currently, our family is planning a luxury townhouse complex to be built on some of our property. We hope to begin the project early in 2003. This is a project being approved through Limited Liability Corporation

H & W Real-Estate Investments. We have also been working with the Cross Timbers Developers to create a setting that will enhance the entire area. These developers have 50 years of experience in building upscale townhomes in various states.

The goal of our project is to create the type of growth that will improve the area in a positive manner. We foresee that the addition of these luxury townhomes can only add to the economic development of the entire community. Several nearby towns would benefit by the construction of these homes. Businesses, schools, and recreation facilities would all benefit from the income generated by these homes. The area would benefit in terms of jobs, homes, and revenue generated.

Lake Skiatook has potential to provide top-notch recreation, comfortable living, and safe family surroundings for many residents and visitors. The proposed highway from downtown Tulsa to the lake in our area would provide fast access to Tulsa from the lake area. I am interested in helping to keep the area upscale. I believe our project is in line with the current residences near the lake, as well as the proposed projects near the lake which include an 18-hole golf course, marina, cabins, conference center and expanded RV camping. I believe our project would be an asset to the area.

I can be reached at 580-657-3698 after 6p.m. and feel free to contact me if you have any questions.

Sincerely,

8/22/2002

Lee Vertrees

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:28 PM
To: Vogele, Louis E SWT
Subject: FW: Skiatook Lake Project

-----Original Message-----

From: Rowdyroach@aol.com [mailto:Rowdyroach@aol.com]
Sent: Wednesday, August 21, 2002 2:09 PM
To: Nolen, Stephen L
Subject: Skiatook Lake Project

Pam Williams
394850 W. 4000 Rd.
Skiatook, OK 74070

I would like to support the proposed Skiatook Lake Project. I feel that this would greatly increase the economic base of the area and would be beneficial for all involved.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:26 PM
To: Vogele, Louis E SWT
Subject: FW: crosstimbers project

-----Original Message-----

From: Mike Willis [mailto:largent.tulsa@sbcglobal.net]
Sent: Wednesday, August 21, 2002 3:47 PM
To: Nolen, Stephen L
Subject: crosstimbers project

Mr. Nolen,

I am writing in support of the CrossTimbers development. In my opinion, this is an appropriate method for developing the area surrounding Skiatook Lake and will benefit both current patrons of the lake and citizens in the Skiatook area.

Sincerely,
Mike Willis

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:23 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timber Project

-----Original Message-----

From: RONNYRDW@aol.com [mailto:RONNYRDW@aol.com]
Sent: Wednesday, August 21, 2002 5:45 PM
To: stephen.l.nolen@usace.army.mil.
Cc: derikhendrix@hotmail.com
Subject: Cross Timber Project

Mr. Nolan,

My name is Ronny Wilson, I am a captain with the Tulsa Fire Department and I live near Tall Chief Cove on Skiatook Lake. I actually grew up in the Tall Chief area and went to school at Sperry. My father Dave Wilson has been a land owner in this area since the 1960s. Dad has been instrumental in the improvement of this area for many years. We also have a construction company and have completed many of the projects around the lake, from swimming beaches, roads, buoy lines, erosion control on the embankment, etc. Dad was also instrumental in getting easements through his property and others so the Tall Chief Park area and the road across the dam could even be possible.

My family is currently working on a multimillion dollar luxury townhouse complex on some of our property and we hope to break ground no later than January 2003. This project is being approved through Limited Liability Corporation H & W Real-estate Investments. We have also been working with the Cross Timbers Developers to create a setting that will compliment the entire area. What we want to do with our projects is to create the type of growth that will improve the area in a positive way and help the entire community. This type of opportunity needs to be taken advantage of for the sake of the near by towns, Osage County area, property owners, and to increase and improve the lakes ability to serve the recreational needs of this area.

The impact of this projects such as these are sure to benefit an area which is in need of an economical boost. The project will create jobs, homes, and revenue not to mention the recreational value that will certainly be enjoyed for many year to come.

If you have any questions please feel free to contact me at 918-288-7327 or my cell is 918-857-1766.

Thank you,
Ronny Wilson

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:51 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers on Skiatook Lake

-----Original Message-----

From: Bill Clark [mailto:clark@rcctulsa.org]
Sent: Thursday, August 22, 2002 1:48 PM
To: Nolen, Stephen L
Subject: Cross Timbers on Skiatook Lake

Mr. Nolan:

This note is sent in support of the Cross Timbers project on Skiatook Lake. My reasons for supporting the project are several. First, Northeastern Oklahoma should always be in the business of developing and improving our natural resources. As I understand the project as outlined in the media, it represents a unique opportunity to combine the resources of a private entity with those of the government. This is clearly a benefit to all parties.

Second, by vocation, I work as the pastor of a fairly large congregation in south Tulsa. We frequently need facilities for special events, retreats, and other outings. Skiatook Lake represents a remarkably convenient and naturally inspiring location for such activities. Once facilities are provided, there is little doubt that organizations such as ours would be immediately interested in booking our activities.

Further, our area is in real need of "destination" type development. From the sound of the project, we could expect out-of-state visitors to use the facility.

Finally, I believe the lake itself to be underutilized. It will eventually develop due simply to its natural beauty, but it will be much better if planned, quality-oriented projects lead the way.

Thank you for your service to all of us.

Sincerely,
William D. Clark

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:19 PM
To: Vogele, Louis E SWT
Subject: FW: CROSS TIMBERS PROJECT

-----Original Message-----

From: HZMT911@aol.com [mailto:HZMT911@aol.com]
Sent: Thursday, August 22, 2002 11:55 AM
To: Nolen, Stephen L
Cc: JMARTENS@SKIATOOKCHAMBER.COM
Subject: CROSS TIMBERS PROJECT

DEAR STEVE,

AS A RESIDENT, BUSINESS PERSON, AND A CONCERNED CITIZEN OF SKIATOOK OKLAHOMA, I WOULD LIKE TO EXPRESS MY DESIRE FOR THE CROSS TIMBERS PROJECT. I THINK THIS PROJECT IS A WIN/WIN SITUATION FOR THE CITIZENS. I BELIEVE IT WILL BENIFIT THEM DIRECTLY AND INDIRECTLY. IT WILL OFFER SEVERAL TYPES OF RECREATION FOR THE PEOPLE OF SKIATOOK AND THE SURROUNDING AREA. IT WILL ALSO DRAW TOURISTS AND OTHERS FROM MORE DISTANT AREAS TO SPEND THEIR DOLLARS IN THE SKIATOOK AREA. THIS MEANS A HIGHER REVENUE FOR THE SKIATOOK MERCHANTS AND MORE TAX REVENUE FOR THE CITY (SKIATOOK) COUNTIES, (TULSA AND OSAGE) AND STATE. THANK YOU VERY MUCH FOR YOUR CONSIDERATION.

JOE JOLLEY, OWNER
TREASURED MEMORIES PHOTOGRAPHY
214 E. ROGERS BLVD.
SKIATOOK, OK 74070
(918) 396-7002

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:20 PM
To: Vogele, Louis E SWT
Subject: FW:



ATT13762.txt

-----Original Message-----

From: Steve Moyer [mailto:SMoyer@agent.shelterinsurance.com]
Sent: Thursday, August 22, 2002 12:21 PM
To: Nolen, Stephen L
Subject:

MY NAME IS STEVE MOYER, SHELTER INSURANCE AGENT IN SKIATOOK, OK. I WOULD
LIKE TO EXTEND MY SUPPORT FOR THE CROSS TIMBERS PROJECT AT SKIATOOK LAKE. I
FEEL AS IF SKIATOOK LAKE NEEDS THIS DEVELOPMENT AND IT WILL BENEFIT NOT ONLY
SKIATOOK, BUT THE SURROUNDING AREA.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 2:00 PM
To: Vogele, Louis E SWT
Subject: FW:

-----Original Message-----

From: Rep Larry Rice [mailto:ricela@lsb.state.ok.us]
Sent: Thursday, August 22, 2002 11:18 AM
To: Nolen, Stephen L
Subject:

Dear Stephen L. Nolen:

I am pleased to extend my personal support for the proposed CrossTimbers development project on Skiatook Lake. Having first-hand knowledge about this area, the lake and the financial strength of the developers leaves no doubt in my mind of the many positive attributes this brings to the local economy.

As a legislator, I recognize the importance of having this lake developed for both corporate and general public usage. The golf and rowing coaches at the University of Tulsa have expressed an interest in the golf course and the lake for their student athletes to practice and host golf/rowing competitions.

The monitoring and research of Oil and brine contamination of soil and water by the USGS in this area is of vital importance to Professor Kerry Sublette at the University of Tulsa and the Osage Tribe who are doing similar research nearby in the TallGrass Prairie Preserve.

Finally, I would comment on the added value of the Corps entering into lease agreements with local communities such as Skiatook Economic Development Authority as a great venue for recreational and economic development while insuring local participation and control.

Sincerely,

Representative Larry Rice

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:18 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers Project

-----Original Message-----

From: Randy Robinson [mailto:Randy_1102@msn.com]
Sent: Thursday, August 22, 2002 10:43 AM
To: Nolen, Stephen L
Subject: CrossTimbers Project

Dear Mr. Nolen

I own 5 acres off of Pease LN. near Skiatook Lake. I support the CrossTimbers Project. The plans that I have seen will make Skiatook Lake a destination recreational area for many years. The surrounding area will benefit for a long time. We look forward to enjoying the opportunities created by these recreational facilities.

Sincerely,
Randy Robinson

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:18 PM
To: Vogele, Louis E SWT
Subject: FW:

-----Original Message-----

From: Roger.Tomlinson@okfb.com [mailto:Roger.Tomlinson@okfb.com]
Sent: Thursday, August 22, 2002 12:54 PM
To: Nolen, Stephen L
Subject:

I am in full support of the Cross Timbers Projects at Skiatook Lake. I believe the local economies of Skiatook and Sperry will benefit GREATLY from the developement. I strongly encourage the Corp. to support the proposed lake developement.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Friday, August 23, 2002 2:28 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers

-----Original Message-----

From: ADWON@aol.com [mailto:ADWON@aol.com]
Sent: Friday, August 23, 2002 1:31 PM
To: Stephen.L.Nolen@usace.army.mil.
Subject: CrossTimbers

Dear Mr. Nolen:

As a real estate investor and broker in Tulsa I am writing to strongly support the CrossTimbers project at Skiatook. It will be an important economic development tool for not only Skitaoook, but also Tulsa and all of northeast Oklahoma.

I am excited about the CrossTimbers and look forward to its development.

Mitch Adwon
Adwon Properties, Inc.
PO Box 52808
Tulsa, OK 74152
(918) 749-9555 (office)
(918) 749-9585 (fax)

8/25/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Monday, August 26, 2002 9:35 AM
To: Vogele, Louis E SWT
Subject: FW: Disinfected: Cross Timber project



msg-72247-11
3.html

-----Original Message-----

From: Ron Howell [mailto:rhowell@statesource.com]
Sent: Monday, August 26, 2002 9:20 AM
To: Stephen Nolen
Cc: Jeffery London
Subject: Fw: Disinfected: Cross Timber project

Stephen-

A copy of the attached letter came to me, showing it was virus infected. Here is the clean version of it. The Burtons own the vast majority of the land that borders the golf course on Skiatook Point.

-Ron Howell

----- Original Message -----

From: "MailScanner" <postmaster@tulsasconnect.com>
To: <rhowell@statesource.com>
Sent: Sunday, August 25, 2002 4:16 PM
Subject: Disinfected: Cross Timber project

> A message you recently received from "<jimburton@peoplepc.com>" with the
> subject "Cross Timber project"
> contained one or more viruses that could be disinfected.
>
> The viruses have been removed, and the disinfected files are attached
> to this message.
> --
> MailScanner
> Email Virus Scanner
>

Mr. Nolen,

My husband and I are land owners close to the proposed Cross Timber Golf Course. We are very pleased to see professionally planned facilities come to our lake. We feel that the project will enhance the lake area, and will be a positive influence on Skiatook, Oklahoma.

Jim and Sharon Burton
P.O. Box 669
Skiatook, Ok 74070

XX

APPENDIX G

USACE Response to Public Comments Received

RESPONSE TO COMMENTS ON DRAFT ENVIRONMENTAL ASSESSMENT

A number of comments were received on the Draft Environmental Assessment. The responses to these comments are as follows:

1. Oklahoma Historical Society

Comment: None

Response: N/A

2. Oklahoma Water Resources Board

Comment: Executive Order 11988 (Floodplain Management)/Impacts of Flood Control

Response: Concur. Joe Remondini, USACE, Tulsa District Floodplain Management Section has been consulted regarding requirements for flood proofing any structures within the one hundred year floodplain. Since no permanent structures will be constructed within the one hundred year floodplain, there are no flood proofing measures needed for the proposed project.

Comment: Attached please find copies of the floodplain maps for the areas for this project. No flood map could be found attached to the draft assessment as indicated in the text.

Response: Concur. Copies of the floodplain maps for the area are included in Appendix B.

Comment: As this project will include the construction of a golf course, cabins, RV/camping area, please do not construct any walled and roofed structures in the one hundred year floodplain.

Response: Concur. In accordance with current design, no permanent structures will be constructed below the one hundred year floodplain. However, some water-related facilities (e.g. marina) will be located within the flood pool of Skiatook Lake.

Comment: As federal dollars will be used for this project, please ensure full compliance with EO 11988.

Response: Concur. The proposed project will not have an adverse effect on the floodplain. No permanent structures will be constructed below the one hundred year floodplain.

Comment: Also, it is advisable to coordinate this project with the Osage and Tulsa Counties' floodplain managers.

Response: Concur. Prior to start of construction all local floodplain permits will be obtained from the local floodplain administrators.

Comment: It appears there will be some road resurfacing and grading. This falls under the definition of development and any proposed development within a community that participates in the National Flood Insurance Program is required to comply with their flood damage prevention ordinance. Osage and Tulsa County participate in the NFIP and administer and enforce such an ordinance.

Response: Concur. Local floodplain administrators will be contacted prior to road resurfacing and grading to determine appropriate permit requirements.

Comment: Also, this proposed development might require a Stormwater Management Plan as regulated through the Oklahoma Department of Environmental Quality.

Response: Concur. Control of sediment and runoff from the project area will be done in accordance with an approved Stormwater Management Plan coordinated with the Oklahoma Department of Environmental Quality and approved by USACE.

3. Diane Hambric

Comment: Public Health and Safety

Response: The number of boat ramps and parking spaces open to the public will not change under the proposed development plan. The new marina has the potential to increase the number of boats active on the Lake at any one time but impacts are anticipated to be minimal. The Lake Patrol Divisions of the Oklahoma Highway Patrol will remain as the primary law enforcement agency on Skiatook Lake. Access roads on the south side of the Lake are going to be upgraded through a joint Osage County/State of Oklahoma effort.

Comment: Public Participation/Notification

Response: The Federal Lakes Recreation Demonstration Program was established by the Federal Lakes Recreation Leadership Council, a national commission formed in 2000. Following an extensive solicitation of nominations from various federal agencies having jurisdiction over federal lakes, 31 lakes, in 20 states, managed by 6 federal agencies (including the Corps of Engineers) were selected for treatment as "pilot project lakes". Skiatook Lake was one of the selected lakes. Following such selection, the Corps solicited the involvement of the Town of Skiatook as a participant. Acting through the Skiatook Economic Development Authority, a public trust ("SEDA"), a public workshop was conducted as described in Appendix D of the Environmental Assessment ("EA"). Appendix D describes times, dates, and locations of public notices and meetings. Additional mailings were made to numerous agencies and interested parties as described in Section VI of the EA.

Comment: Competition

Response: Open bidding is not required by law or regulation for a government-to-government lease such as to one described in the EA from the Corps to SEDA. These leases are also granted under a waiver of competition. The lease to SEDA will be the same as that used for leases to other governmental entities such as the lease to the Public Works Authority of Osage County, Oklahoma for the marina and concession facilities at

Crystal Bay Marina on Skiatook Lake. Applications for leases of Corps lands may be made by individuals or governmental entities.

4. Osage Tribal Council

Comment: The Osage Nation feels that the activities associated with the proposed lease, including construction of a golf course, cabins, conference center, RV and other camping areas, a marina, and an interpretative hiking trail will have an adverse impact on the one identified traditional and cultural property. The Teepee Rock or Healing Rock or any other inadvertent cultural site that could be located in this area and could suffer adverse consequences from these activities. The Osage Nation is requesting a consultation with State Source, SEDA, and the USACE to discuss impacts to Healing Rock and other matters pertaining to this project.

Response: Concur. The USACE will be consulting with all interested parties regarding the potential impacts of the proposed project on Healing Rock and other cultural resources that may exist in the project area, and will ensure compliance with provisions of the National Historic Preservation Act. See changes made to Section IV.B.7. of the EA.

5. Wesley Johnson

Comment: Adequate Mitigation for Terrestrial and Aquatic Impacts

Response: These have been addressed in Section V. of the EA.

6. Rick Roberts

Comment: Pre and Post Project Recreational Use of Lake

Response: The growth of recreation activities on Skiatook Lake was projected to increase over time in the master plan and the final environmental statement for the Lake. We anticipate that the proposed development will increase recreational use of project land and water and this is one of the goals of the pilot lake demonstration program. Skiatook Lake was authorized by Congress for a number of uses, including recreational. The original plan for the development of the lake by the Corps included the designation of most of the areas covered by the proposed leases as intensive recreational use areas. All of the uses proposed by SEDA are uses currently being conducted on many other Corps lakes.

The Corps has considered the utilization of existing facilities and has determined that additional facilities or the type proposed by SEDA are needed to meet existing public demand.

Comment: Marina Justification/Feasibility/Need

Response: The Marina Feasibility Study (Appendix G) has determined that the projected growth in the use of the Lake due to existing growth patterns, increased use resulting from the improvements proposed by SEDA, and other private single and multi-family developments planned for the Lake area justify additional marina operations.

Comment: Fee Structure/Availability of Facilities to General Public

Response: All facilities constructed on the leased premises will be open to the public at competitive rates.

Comment: Water Quality

Response: Water quality impacts have been addressed in Section IV.B.10 of the EA.

Comment: Indirect and Cumulative Impacts

Response: See Section IV. C. of the EA. The direct impact of the proposed improvements will not affect the local schools due to the fact that the improvements do not include owner occupied residences. The jobs and related development in the area which should result from the development project will contribute to the tax base for the various school districts in the vicinity. Since the proposed development is phased, the indirect impact should be timed such that there is ample planning for additional needs.

Rural Water District #15 will provide potable water to the CrossTimbers project. The City of Skiatook currently sells water to Rural Water District #15. In order to improve the Water District's ability to sell more water to meet an increasing public demand, the City of Skiatook is in the planning stage of increasing both the quantity of water available for sale to Rural Water District #15 and the delivery system available to the Water District for sale to end users. The proposed expansion will require the activation of Rural Water District #15 future use water supply storage agreement, triple the size of the water plant and allowing production up to approximately six million gallons per day. The City of Skiatook is currently studying the possibility of assigning a portion of the City's unused water rights to Skiatook Lake for usage by the golf course. If the water right transfer occurs, SEDA will be required to enter into a water supply storage agreement with the United States.

Adjacent development will be subject to the Osage County zoning code and subdivision regulations. Incremental, phased development should be expected to be in a phased manner, similar to the phased development of the project.

Regarding law enforcement and fire protection, that is currently provided by Osage County. Osage County has a mutual aid fire and safety agreement with the Town of Skiatook and other area communities in the vicinity.

Nightglow is being addressed by the general low intensity design planned for the development.

Comment: Boat ramp/Facilities Access

Response: The number of boat ramps and parking spaces open to the public will not change under the proposed development plan. The new marina has the potential to increase the number of boats active on the lake at any one time but it is anticipated that impacts will be minimal. The Lake Patrol Division of the Oklahoma Highway Patrol will remain as the primary law enforcement agency on Skiatook Lake. Access roads on the south side of the lake are going to be upgraded through a joint Osage county/State of Oklahoma effort.

All public boat ramps will remain under the operation and control of the COE. All facilities built by the lessee will be open to the public including the lodge, golf course, cabins and marina

7. Preston Hale

Comment: Property Tax Issues

Response: The Corps already makes a payment in lieu of property taxes for all of the Corps managed land around the lake. Ad Valorem taxes will be payable for any privately owned improvements constructed pursuant to the leases.

Comment: Public Health and Safety

Response: See Response to Letter No. 3

Comment: Corps Monitoring/Control of Development

Response: The lease area may be developed after any proposed facilities and construction schedules have been reviewed and approved by USACE. The facilities would be constructed in compliance with all applicable federal, state, and local laws. Facilities would be inspected regularly by Corps personnel to insure that they are being operated and maintained in accordance with the Environmental Review Guide for Operations (ERGO) program, and by the Corps Real Estate Division to ensure compliance with the terms and conditions of the lease.

8. Oklahoma Archeological Survey

Comment: No objection

Response: N/A

9. Vince Logan

Comment: Public Participation/Notification

Response: See Response to Letter No. 3

10. K. Shingleton

Comment: Pre and Post Project Recreational Use of Lake

Response: See Response to Letter No. 6

Comment: Impacts on Flood Control

Response: No habitable facilities will be permitted to be constructed below the flood pool elevation of the Lake. Some recreation facilities which are not habitable may be built below that elevation subject to Corps approval. The Corps will continue to store water in the flood control pool at Skiatook Lake, even if this will cause damage to the proposed development. The Corps will only be permitted to make flood control releases at a rate that will not cause or add to flooding downstream. Flood control release decisions will continue to be based on downstream conditions. The only exceptions

would be if the flood control pool completely fills or in the case of an emergency condition which would jeopardize the integrity of the dam.

Comment: Corps Monitoring/Control of Development

Response: See Response to Letter No. 6

Comment: Competition

Response: See Response to Letter No. 3

Comment: Fee Structure/ Availability of Facilities to General Public

Response: See Response to Letter No. 6

Comment: Terrestrial & Aquatic Habitat Loss

Response: These concerns have been addressed in Section IV. B. of the EA.

Comment: Additional Cost to Federal Government

Response: There will be an increased cost to the Corps due to oversight responsibilities that include approval of construction and periodic compliance inspections and reviews. The Corps may see some cost savings if the lessee can assume responsibility for some of the landscape maintenance in the area of the proposed golf course.

Comment: Water Quality

Response: This has been addressed in Section IV. B. 10 of the EA.

Comment: Political Involvement

Response: This project has been supported by the following Federal Agencies (See Public Participation/Notification-Letter No. 3), the Congressional delegation, local State legislators, the Oklahoma Tourism Department, the Oklahoma Department of Transportation, the Osage Board of County Commissioners, the Osage County Industrial Development Authority, and the Town of Skiatook. There has been a significant level of support from many state and federal legislators who support an improvement in the overall standard of living for residents of Osage County through the significant economic development opportunities inherent and complementary to the CrossTimbers project. For instance, Senator Jim Inhofe and his staff worked diligently to secure the designation of Skiatook Lake as a model lake in the Demo Lake Program. The project has also been supported by Oklahoma State Director of Tourism Jane Jayroe and Gov. Frank Keating.

Comment: Project Abandonment/Restoration if Project Fails

Response: The Corps leases require quality improvement that must be built in accordance with specified timelines. In the event the project does not succeed, SEDA will terminate the sublease with the operator and proceed with other operators to manage and improve the project.

Comment: Impact on Hunting/Fishing Opportunities

Response: These have been addressed in Section IV. B. 6 of the EA.

11. Williams Energy Services

Comment: Identification of Infrastructure

Response: Prior to development, all existing pipelines and other infrastructure improvements on the leased premises will be identified. All proposed project facilities will be built with proper regard to rights of the owners of such improvements and good development practices.

12. East Ridge Estates Homeowners Association

Comment: Corps Monitoring/Control of Development

Response: See Response to Letter No. 6

Comment: Hiking Trails/Indirect and Cumulative Impacts

Response: See Response to Letter No. 6. Any trails would be located on Corps property which is currently open to public use.

Comment: Terrorism Concerns

Response: USACE has reviewed the proposed shoreline development associated with the CrossTimbers project at Skiatook Lake and has determined that the project will not increase the security threat to identified vulnerable assets present at the lake, nor will it interfere with the installation of future protective measures for identified vulnerable assets.

Comment: SEDA-Legal Entity

Response: Skiatook Economic Development Authority is an Oklahoma public trust for the benefit of the Town of Skiatook as authorized by 60 Okla. Stat. Sections 176 and 180. It is qualified as a tax-exempt entity pursuant to Section 501 c (3) of the Internal Revenue Code.

Comment: Marina Justification/Feasibility/Need

Response: See Appendix G of EA.

Comment: Water Quality

Response: This issue has been addressed in Section IV. B. 10 of the EA.

13. Dale LeSturgeon

Comment: Water Quality

Response: This issue has been addressed in Section IV. B. 10 of the EA.

14. Fran and Gene Pace

Comment: Corps Monitoring/Control of Development and Public Participation/Notification

Response: See Response to Letter No. 3 and No. 7

Comment: Hiking Trail

Response: See Response to Letter No. 12

Comment: Terrorism Concerns

Response: See Response to Letter No. 12

Comment: Water Quality

Response: This issue has been addressed in Section IV. B. 10 of the EA.

Comment: Lakeshore Management Plan

Response: Skiatook Lake was constructed after the Shoreline Management Regulations were established, by law, in 1974. No private boat docks will be permitted on the lake. There are docks in two leased areas on the lake but the facilities are included with the leases for these areas and they cannot be used as private boat docks.

Comment: Indirect and Cumulative Impacts/Increased Fire Potential

Response: These have been addressed in Section IV. C. of the EA.

Comment: Impacts on Flood Control

Response: See Response to Letter No. 10

Comment: Water Rights

Response: Adjacent landowners would be required to obtain water rights from the Oklahoma Water Resources Board, obtain a water supply storage contract and an easement from the Corps, and work with SEDA to restore the affected area to its original condition.

Comment: Boat Ramp/Facilities Access

Response: All public boat ramps will remain under the operation and control of the Corps. All facilities built by the lessee will be open to the public including the lodge, golf course, cabins and marina. The number of boat ramps and parking spaces open to the public will not change under the proposed development plan. The new marina has the potential to increase the number of boats active on the lake at any one time but impacts are anticipated to be minimal. The Lake Patrol Division of the Oklahoma Highway Patrol will remain as the primary law enforcement agency on Skiatook Lake. Access roads on the south side of the lake are going to be upgraded through a joint Osage County/State of Oklahoma effort. All public boat ramps will remain under the operation and control of the COE.

Comment: Fee Structure

Response: See Response to Letter No. 6

Comment: Lease Provisions/Details

Response: The Lease form to be used for the project is the lease form specified by the Corps for leases with government entities. The Leases will be for a 50 year term and will permit specific uses identified in the attached development plan. The timeline for the development of the first phase of the project will be specified in the lease. Individual cabins may be financed by private investors, who may then use the cabins provided that such use would not exceed a total of 60 days per year. SEDA may, in turn, sublease the same to an operator, presently proposed to be StateSource, L.L.C.

15. George and Patricia Smith

Comment: Public Health and Safety

Response: See Response to Letter No. 3

Comment: Indirect and Cumulative Impacts

Response: This has been addressed in Section IV. C. of the EA.

Comment: Water Quality

Response: This issue has been addressed in Section IV. B. 10 of the EA.

Comment: Lakeshore Management Plan

Response: The shoreline is still not available for private exclusive use. All parts of the proposed development will be open for public use. For additional comments, see Response to Letter No. 12.

16. Marva Beair

Comment: Fee Structure

Response: See Response to Letter No. 6

Comment: Competition

Response: See Response to Letter No. 3

Comment: Lease Provisions/Details

Response: See Response to Letter No. 12

17. Mrs. Ralph Hendryx

Comment: Water Quality

Response: This issue has been addressed in Section IV. B. 10 of the EA.

Comment: Public Health and Safety

Response: See Response to Letter No. 3

Comment: Adequate Mitigation for Terrestrial and Aquatic Impacts

Response: See Section V. of the EA.

Comment: Terrestrial and Aquatic Habitat Loss
Response: See Section V. of the EA.

Comment: Indirect and Cumulative Impacts
Response: This has been addressed in Section IV. C. of the EA.

18. Kevin Jordan

Comment: Encourages lease approval
Response: N/A

19. Kenneth and Ruth Shingleton

Comment: Explain National Recreation Lake Initiative
Response: The National Recreation Lake Initiative came about as a result of the National Recreation Lakes Study Commission (NRLSC). This commission established an Interagency Federal Lakes Recreation Leadership Council that would review and implement recommendations of the NRLSC. One of the recommendations of the NRLSC was formation of the Federal Lakes Recreation Demonstration Program. Pilot lakes under this program (including Skiatook Lake) were approved in late 2000. Agencies included in the pilot lakes program besides the USACE are: US Forest Service; US Bureau of Reclamation; National Park Service; Bureau of Indian Affairs; US Bureau of Land Management; and the US Fish and Wildlife Service. The Tennessee Valley Authority is a part of the program but does not have any of its lakes designated as a pilot lake. The emphasis of the initiative is on cooperative efforts between federal agencies and other interested parties to develop strategies for enhancing recreational experiences of the public at federally managed reservoirs.

Comment: Pre and Post Recreational Use of Lake
Response: See Response to Letter No. 6

Comment: Competition
Response: See Response to Letter No. 3

Comment: Political Involvement
Response: See Response to Letter No. 10

Comment: Additional Cost to Federal Government
Response: See Response to Letter No. 10

20. Keri Shingleton, PhD

Comment: Alternatives
Response: See Section II of the EA. The comprehensive development with each of the development elements is required to accomplish an economic project. The phased

development is intended to assure the incremental satisfaction of the existing recreational demand.

Comment: Ancient Forest/Old Growth

Response: This is addressed in Section III. D. 7 of the EA.

Comment: Outdated Baseline Information

Response: The original master plan for Skiatook Lake has plans for much more recreation facility development than was built. The only additional boats on the lake will be from the marina – no new boat ramps are planned at this time. Proposed development on the lake has been public information since Skiatook's selection as a demonstration lake in 2000.

Comment: Migratory Bird Impacts

Response: This has been addressed in Section IV. B. 5 of the EA.

Comment: Accumulation of Chemical Constituents in Golf Course

Response: See Section IV. B. 10 of EA.

Comment: 303(d) List

Response: Skiatook Lake is listed on the current (1998) State of Oklahoma 303(d) list of impaired waters for pesticide concerns from unknown sources.

21. Tom Stewart

Comment: Public Health and Safety

Response: See Response to Letter No. 3

Comment: Indirect and Cumulative Impacts

Response: These been addressed in Section IV. C. of the EA.

Comment: Competition

Response: See Response to Letter No. 3

Comment: Water Quality

Response: This issue has been addressed in Section IV. B. 10 of the EA.

22. Melinda Upton

Comment: Competition

Response: See Response to Letter No. 3

Comment: Pre and Post Project Recreational Use of Lake

Response: See Response to Letter No. 6

Comment: Public Health and Safety

Response: See Response to Letter No. 3

Comment: Fee Structure

Response: See Response to Letter No. 6

Comment: Marina Justification/Feasibility/Need

Response: See Appendix G of EA.

Comment: Property Tax

Response: See Response to Letter No. 7

23. US Fish and Wildlife Service

Comment: Adequate Mitigation for Terrestrial and Aquatic Impacts

Response: See Section V of the EA.

Comment: Impacts on Hunting and Fishing Opportunities

Response: These have been addressed in Section IV. B. 6 of the EA.

Comment: Ancient Forest/Old Growth

Response: This has been addressed in Section III. D. 7 of the EA.

Comment: Migratory Birds

Response: This has been addressed in Section IV. B. 5 of the EA.

Comment: Water Quality

Response: This issue has been addressed in Section IV. B. 10 of the EA.

Comment: Public Health and Safety

Response: See Response to Letter No. 3

Comment: Indirect and Cumulative Impacts

Response: This has been addressed in Section IV. C. of the EA.

Comment: Marina Justification/ Feasibility/Need

Response: See Appendix G of EA.

Comment: Pre and Post Recreational Use

Response: See Response to Letter No. 6

24. Osage Tribal Council

Comment: Public Participation/Notification

Response: See Response to Letter No. 4

25. Oklahoma Department of Wildlife Conservation

Comment: Impact on Lake "Buffer Zone"

Response: The primary development areas of the proposed project are located on substantial tracts of land owned by the Corps. To the extent that the proposed project is located on the "buffer strips" of land owned by the Corps around the Lake, the proposed uses are generally low intensity uses such as trails. The portion of the lake frontage to be occupied by above grade improvement is a few miles while the entire Lake has a shoreline of 160 miles.

Comment: Water Quality

Response: This has been addressed in Section IV. B. 10 of the EA.

Comment: Terrestrial and Aquatic Habitat Loss

Response: See Response to Letter No. 10

Comment: Impacts on Hunting/Fishing

Response: This has been addressed in Section IV. B. 6 of the EA.

Comment: Indirect and Cumulative Impacts

Response: This has been addressed in Section IV. C. of the EA.

Comment: Public Health and Safety

Response: See Response to Letter No. 3

Comment: Lakeshore Management Plan

Response: See Response to Letter No. 14

Comment: Explain National Recreation Lake Initiative

Response: See Response to Letter No. 19

26. Bessie Baldwin

Comment: Encourages lease approval

Response: N/A

27. Richard Barton

Comment: SEDA-Legal Entity

Response: See Response to Letter No. 12

Comment: Public Health and Safety

Response: See Response to Letter No. 3

Comment: Boat /Facilities Access Ramp

Response: See Response to Letter No. 12

Comment: Indirect and Cumulative Impacts
Response: This has been addressed in Section IV. C. of the EA.

Comment: Corps Monitoring/Control of Development
Response: See Response to Letter No. 7.

Comment: Request for review period time extension
Response: There will no extension to the public review time period.

28. Don Billups

Comment: Encourages lease approval
Response: N/A

29. April Boness

Comment: Encourages lease approval
Response: N/A

30. Robert Boyd

Comment: Encourages lease approval
Response: N/A

31. Randy Davis

Comment: Encourages lease approval
Response: N/A

32. Dr. Stanley Diehl

Comment: Encourages lease approval
Response: N/A

33. Norma H. Eagleton

Comment: Generic NEPA Discussion
Response: The Environmental Assessment is adequate. 33 CFR § 230 and 40 CFR § 1500 were followed in the preparation of the Environmental Assessment. The Environmental Assessment is a brief document that provides the District Engineer sufficient information on the potential environmental effects of the proposed action to determine whether to prepare a FONSI (Finding of No Significant Impact) or an EIS (Environmental Impact Statement). No special format is required. The Environmental Assessment is to be a concise document that provides for a meaningful review and decision. 33 CFR § 230.10 The Draft Environmental Assessment was published for

public review to concerned agencies, organizations and the interested public. Public comments were received and are addressed in the Environmental Assessment. NEPA compliance for an Environmental Assessment requires that the document demonstrate that the Agency took a “hard look” at the environmental issues and exercised the appropriate discretion. This “hard look” has been accomplished.

Comment: Lakeshore Management Plan
Response: See Response to Letter No. 14

34. Patty Eaton

Comment: Generic NEPA Discussion
Response: The Environmental Assessment is adequate. 33 CFR § 230 and 40 CFR § 1500 were followed in the preparation of the Environmental Assessment. The Environmental Assessment is a brief document that provides the District Engineer sufficient information on the potential environmental effects of the proposed action to determine whether to prepare a FONSI (Finding of No Significant Impact) or an EIS (Environmental Impact Statement). No special format is required. The Environmental Assessment is to be a concise document that provides for a meaningful review and decision. 33 CFR § 230.10 The Draft Environmental Assessment was published for public review to concerned agencies, organizations and the interested public. Public comments were received and are addressed in the Environmental Assessment. NEPA compliance for an Environmental Assessment requires that the document demonstrate that the Agency took a “hard look” at the environmental issues and exercised the appropriate discretion. This “hard look” has been accomplished.

Comment: Indirect and Cumulative Impacts
Response: This has been addressed in Section IV. C. of the EA.

Comment: Property Tax Issues
Response: See Response to Letter No. 8

Comment: Water Quality
Response: This has been addressed in Section IV. B. 10 of the EA.

Comment: Adequate Mitigation for Terrestrial and Aquatic Impacts
Response: See Response to Letter No. 18

Comment: Alternatives
Response: See Response to Letter No. 21

Comment: Pre and Post Project Recreational Use of Lake
Response: See Response to Letter No. 6

35. Steve Edwards

Comment: Encourages approval of lease

Response: N/A

36. Gary Harkreader

Comment: Encourages approval of lease

Response: N/A

37. Derik Hendrix

Comment: Encourages approval of lease

Response: N/A

38. Joyce Jech

Comment: Encourages approval of lease

Response: N/A

39. Renaye Johnston

Comment: Encourages approval of lease

Response: N/A

40. Albert Klein

Comment: Encourages approval of lease

Response: N/A

41. Teresa Lusk

Comment: Indirect and Cumulative Impacts

Response: This has been addressed in Section IV. C. of the EA.

Comment: Water Rights

Response: See Response to Letter No. 12

42. Judy Martens

Comment: Encourages approval of lease

Response: N/A

43. LeRoy Parno

Comment: Project Abandonment/Restoration if Project Fails

Response: See Response to Letter No. 10

Comment: Indirect and Cumulative Impacts

Response: This has been addressed in Section IV. C. of the EA.

44. Angela Perez

Comment: Encourages approval of lease

Response: N/A

45. Jack and Jami Porter

Comment: Encourages approval of lease

Response: N/A

46. Molly Reede

Comment: Encourages approval of lease

Response: N/A

47. Mark Schell

Comment: Public Use of Corps Property

Response: The area in question is proposed to be re-zoned from low-density recreation to recreation intensive use. The impacts are addressed in Section IV. B. of the EA.

48. Sharon Shearer

Comment: Encourages approval of lease

Response: N/A

49. David Smith

Comment: Encourages approval of lease

Response: N/A

50. Brad Swan

Comment: Encourages approval of lease

Response: N/A

51. Cliff Taylor

Comment: Encourages approval of lease

Response: N/A

52. Lee Vertrees

Comment: Encourages approval of lease

Response: N/A

53. Pam Williams

Comment: Encourages approval of lease

Response: N/A

54. Mike Willis

Comment: Encourages approval of lease

Response: N/A

55. Ronny Wilson

Comment: Encourages approval of lease

Response: N/A

The following public comments were received after the end of the public comment period and are not addressed in this document.

56. William Clark

57. Cheryl and Norman Davis

58. Don England

59. Joe Jolly

60. Steve Moyer

61. Rep. Larry Rice

62. Randy Robinson

63. Roger Tomlinson

64. Mitch Adwon

65. Jim and Sharon Burton
66. Hal Hoppy Hopkins
67. Dustin Huff
68. Rick Huff
69. Roger Sutterfield
70. Gary L. Forbes, Jr.
71. Tom Matthews
72. Nona Roach
73. David and Debbie Kendall
74. Preston Hale